

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 23115 of 2023

Jayanti Mondal & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Anupam Das
...for the petitioners

1. Affidavit-of-service filed in Court today be kept on record.
2. The petitioner no. 1 is the unfortunate wife of the petitioner nos. 2 and 3 are the children of the deceased Sudhangshu Mondal. It is submitted that the said deceased met his unfortunate demise in the premises of the Barasat Hospital. However, subsequently, when the petitioners sought for a death certificate, the Hospital did not issue a duplicate of the same, although the same had been issued in favour of a third party to the present writ.
3. A perusal of the representation of the petitioners shows that the representation was made to the Deputy Registrar, Births and Deaths, District Hospital, Barasat.
4. Since the concerned Municipality is the appropriate authority to issue the death certificate, the correct course of action of the petitioners is to approach the concerned Municipality, that is, the

Barasat Municipality for issuance of a death certificate of the petitioners' predecessor-in-interest. In any event, since a representation has been given to the respondent no. 3, the said respondent is also required to respond to the same.

5. Accordingly, W.P.A. No. 23115 of 2023 is disposed of by directing the respondent no. 3 to respond to the representation of the petitioners dated July 03, 2023, annexed at page 12 of the writ petition, within a fortnight from the date of communication of this order to the said respondent.

6. Further, liberty is granted to the petitioners to apply for a death certificate of the deceased Sudhangshu Mondal, before the concerned municipality.

7. If such an application is made and due formalities are complied with, the Municipality, it is expected, shall issue such certificate within a week thereafter.

8. There will be no order as to costs.

9. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of all necessary formalities.

Sabyasachi Bhattacharyya, J.