

26th February,
2024
(AK)
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W.P.A 889 of 2024

Minati Halder
Vs.
The State of West Bengal and another

Mr. Sounak Bhattacharya
Mr. Sounak Mondal
...for the petitioner.

Mr. A. Mondal
Mr. Md. Idrish
...for the State.

1. The petitioner has been acting as a non-official Marriage Registrar.
2. All on a sudden, a notice was given on October 17, 2023 to the petitioner asking the petitioner to explain and give clarifications regarding certain alleged illegalities and violations by the petitioner in the work done by the petitioner as a Marriage Registrar from April 2023 to July 2023.
3. In reply, the petitioner gave sufficient clarifications in writing.
4. However, till date neither the respondent authorities are taking decision on the same nor is the petitioner being permitted to avail of the biometric system by furnishing the concerned biometric device to the petitioner, although all marriage registrations have been converted to the biometric system since last September.

5. Learned counsel for the respondents submits that the consideration of the petitioner's explanation is pending.
6. However, such long pendency of the petitioner is adversely affecting the petitioner's livelihood.
7. Accordingly, WPA 889 of 2024 is disposed of by directing the respondents no.2, that is, the Registrar General of Marriages to decide on the petitioner's clarification to the show-cause notice dated October 17, 2023, both of which (the show-cause notice and the clarification thereto) are annexed to the present writ petition, upon giving an opportunity of hearing and of production of documents to the petitioner, within three weeks from date.
8. A notice of hearing shall be given to the petitioner immediately in writing prior to the said exercise being conducted.
9. Upon hearing the petitioner, a decision shall be taken within a week thereafter and the outcome of the same shall be communicated to the petitioner in writing.
10. It is made clear that if the petitioner is further aggrieved by the decision taken by the respondent authorities, it will be open to the petitioner to challenge the same in a properly constituted challenge.

11. There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)