

D/L. 17.
January 15, 2024.
MNS.

WPA No. 8399 of 2023

Subhas Chandra Dutta
Vs.
The State of West Bengal and others

Mr.Kartick Kumar Bhattacharyya,
Ms. Soumashree Dutta,
Ms. Papiya Naskar

... for the petitioner.

Mr. Rajarshi Basu,
Mr. K. M. Hossain

...for the State.

1. Affidavit-of-service filed in Court today be kept on record.
2. Learned counsel for the petitioner contends that the petitioner applied for a death certificate of his sister. Although a death certificate was issued by the Kolkata Municipal Corporation, Health Department, at the burial ground, subsequently when the petitioner applied for proper death certificate from the concerned Block Development Officer, Karimpur, the same was refused.
3. Learned counsel for the State rightly points out that cremation took place within the

jurisdiction of the Kolkata Municipal Corporation, as did the death.

4. In fact, it is evident from Annexure –P4 at page 17 of the writ petition that even the cremation ground certificate was issued by the Kolkata Municipal Corporation. Hence, obviously it is the said Corporation which has jurisdiction to issue a proper certificate after registration of the event of death.
5. Accordingly, WPA No. 8399 of 2023 is disposed of by granting liberty to the petitioner to approach the Kolkata Municipal Corporation applying for a death certificate being issued upon the registration of the death of Nanda Rani Dutta, the sister of the petitioner. If so approached, the Kolkata Municipal Corporation shall process the same in accordance with law and issue the death certificate to the petitioner, subject to compliance of all formalities by the petitioner.
6. There will be no order as to costs.
7. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)