

29.08.2024
Item No.40
RP/AN
Ct. No.1

WPA(P) 330 of 2024
Advocate Mita Banerjee Ray
Vs.
Health & Family Welfare Department, Government of
West Bengal & Ors.

Ms. Mita Banerjee Ray
Mr. Barun Kumar Ray
..... Petitioner appearing in person
Mr. Sirsanya Bandopadhyay
Mr. Ritesh Kumar Ganguly
..... for State
Mr. Alok Kumar Ghosh
Mr. Arijit De
..... for KMC

1. The petitioner, a practicing advocate of this Court, by filing this public interest litigation seeks relief to grant her permission and necessary details of those unclaimed bodies, for whom there is no one to perform their last rites, so that she as per her means, strength and capacity can cremate three to ten unclaimed dead bodies at per quarter out of those unclaimed dead bodies and perform their post cremation rituals for upholding their dignity and protecting the rights of the persons who are passed away and who have no near and dear to do the rituals.
2. This matter is purely a policy decision to be taken by the authority concerned, more particularly, the Kolkata Municipal Corporation and it is not for the Court to issue positive direction in this regard.

However, we give liberty to the petitioner to submit a representation to the Kolkata Municipal Corporation clearly stating the proposal of the petitioner and if the said representation is submitted the concerned authority of the Kolkata Municipal Corporation shall take a decision in the matter and communicate the same to the petitioner within a period of six weeks from the date of receipt of the representation.

3. With the aforesaid direction, this writ petition is disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)