

17.03.2025

Item No.12

Ct. No.35

dc.

W.P.A. 4754 of 2025

**Raj Kapoor Mishra
versus
The State of West Bengal & Ors.**

Mr. Rhiddhiman Mukherjee,
Mr. Soujanya Pattanayak ... For the Petitioner.

Mr. Swapan Banerjee, AGP,
Mr. Diptendu Narayan Banerjee ... For the State.

Report submitted by the learned advocate
appearing for the State be kept with the record.

The present writ petition has been preferred
by one Raj Kapoor Mishra praying for handing over
the dead body of one Meghna Thakkar which has
been preserved at Kantapukur Morgue, Majherhat,
Mominpur, Kolkata. The said Meghna Thakkar
expired on 3rd February, 2025 at K.P.C. Medical
College and Hospital, Kolkata. Subsequent to that
the police authorities conducted inquest as well as
post mortem examination. An unnatural death case
being Garfa PS UD Case No. 7/2025 dated
03.02.2025 was registered. However, there were no
claimants in respect of the deceased Meghna
Thakkar's dead body. The petitioner intends to
perform last rites of deceased Meghna Thakkar as
he had been staying/living together with the
deceased as friend/husband as is reflected from the
enquiry report prepared by one SI of Garfa PS.
Such enquiry was conducted and an information

was furnished to the Officer-in-Charge, Jadavpur Police Station which states as follows :

“During enquiry, it could be learnt that on 03.02.2025 at about 06:00 hrs the deceased felt unwell at her residence due to abdomen pain. Accordingly, she was immediately removed to KPC Medical College Hospital, Kolkata by her friend/husband namely Raj Kapoor Mishra where on duty EMO declared brought dead on 03.02.2025 at 07:46 hrs.

Enquiry revealed that deceased person used to stay together with her friend/husband namely Raj Kapoor Mishra for last few years & she was suffering from abdomen pain and weakness for the last two/three days. No foul play could be detected & no complaint has been received from any corner so far.”

Having regard to the fact that the enquiry which was conducted reveals that the petitioner was in a relationship with the deceased and intends to perform the last rites and more than a month has passed since the dead body of the said Meghna Thakkar is being preserved at the morgue, I am of the view that the Officer-in-Charge, Garfa Police Station would take steps and send necessary communication to the Morgue after complying with the formalities so that the dead body of the deceased Meghna Thakkar is handed over to Raj Kapoor Mishra petitioner herein within 48 hours so that the last rites of the deceased can be performed within a reasonable period of time.

With the aforesaid observations, the writ petition being WPA 4754 of 2025 is disposed of.

There will be no order as to costs.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)