

03.12.2025
Sl. No.ML 566
Suman
Ct.No.15

WPA 9169 of 2024

Kumkum Maity (Mondal)
Vs.
The State of West Bengal and Ors.

Mr. Samiran Mondal
Mr. Mrinal Kanti Sardar
Mr. Abhinaba Dan
..for the petitioner

The respondents are not represented.

Let the affidavit of service filed by the petitioner be kept with the records.

It is the petitioner's grievance that she is the second wife of one Sambhunath Maity, who was a defence personnel. The petitioner submits that she contracted marriage with Sambhunath Maity on July 3, 2012, after the death of his first wife, Niati Maity. Sambhunath Maity passed away on November 26, 2020, during the subsistence of his second marriage with the petitioner.

The petitioner earlier filed WPA 13378 of 2021 seeking a copy of the death certificate of Sambhunath Maity. A Co-ordinate Bench of this Court, by an order dated September 7, 2022, directed the Panchayat to provide the said death certificate to the petitioner. In

compliance with that order, the petitioner was supplied with a death certificate.

However, the petitioner alleges that, upon perusal of the death certificate, she found that her stepsons, in connivance with the local Panchayat authorities, had incorporated the name of Niati Maity as the wife of Sambhunath Maity. The petitioner submits that, due to the issuance of such a certificate, she has been deprived of pensionary benefits from the Union following the death of her husband.

By filing the present writ petition, the petitioner seeks rectification of the death certificate by incorporating her name as the wife of Sambhunath Maity.

It appears that the petitioner made a representation before the Sub-Registrar (Birth and Death), Panskura-I Gram Panchayat, respondent no. 7, by a letter dated November 9, 2022, which is at page 33 of the writ petition.

Let such representation be considered by respondent no. 7 within a period of six weeks from the date of communication of this order, in accordance with law.

It is made clear that I have not entered into the merits of the claim of the petitioner.

Accordingly, **WPA 9169 of 2024** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)