

M/L. 08.  
August 04, 2025.  
KAUSHIK.

WPA No. 13713 of 2025

**Sahadev Mandal**  
**Vs.**  
**The State of West Bengal and Others**

Mr. Tarun Kumar Das  
Mr. Dilip Kumar Shyamal  
Mr. Pratap Kumar Yadav  
... for the petitioner.

Mr. Susenjit Banik  
Mr. Mrinal Saha  
... for the respondent no. 5.

Ms. Kalpita Paul  
... for the State.

1. Affidavit of service filed on behalf of the petitioner in Court is taken on record.
2. By presenting this writ petition, petitioner has made a prayer thereby directing the school authority where daughter of respondent no. 5 is studying to upload particulars of said daughter indicating surname of the child as per the surname of the first husband of respondent no. 5.
3. Respondent no. 5 is represented by learned advocate who has drawn notice of this Court to pendency of a suit being T.S. No. 128 of 2023 pending before Civil Judge (Junior

Division), Tamluk, Purba Medinipur wherein petitioner being the plaintiff in the suit has sought for a declaration that Deed of Adoption is void. It is submitted on behalf of respondent no. 5 said Deed of Adoption which is questioned in the pending suit confers right upon the daughter of respondent no. 5 to use surname of the petitioner.

4. Today, if accepting contention made on behalf of the petitioner, school authority is directed to upload particular of the daughter of respondent no. 5 indicating surname of the first husband of respondent no. 5 that will render the suit infructuous.
5. Hence, at this stage, when the suit is pending before the Civil Court, no relief can be granted to the petitioner.
6. Writ petition stands dismissed.
7. However, all points are kept open, which are to be decided in the pending suit.
8. Urgent Xerox certified copy of this order be given to the parties expeditiously, if applied for, on usual undertakings.

**(Saugata Bhattacharyya, J.)**