

D/L 27
17.03.2025
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 18823 of 2023

Md. Mokshed Ali Mondal & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Surajit Samanta
Ms. Sohini Samanta
Ms. Aparajita Bhowmick

...for the Petitioners.

Mr. Somnath Ganguli, Ld. AGP
Ms. Priyamvada Singh.

...for the State.

1. Affidavit of service filed in Court today is taken on record.
2. The petitioners have filed the instant writ petition praying for a direction upon the State respondents not to engage more than one Muslim Marriage Registrar within the jurisdiction of one police station.
3. Learned advocate representing the State respondents relies upon The Bengal Mohammadan Marriages and Divorces Registration Act, 1876. Section 3 of the said Act reads as follows:-

“3. State Government may grant licences to register.- *It shall be lawful for the (State) Government to grant a licence to any person, being a Mohammadan, authorizing him to register Mohammadan marriages and divorces which have been effected within certain specified limits, on application being made to him for such registration; and in like manner it shall be lawful for the said (State) Government to revoke to suspend such license:*

Provided that no more than two persons shall be licensed to exercise the said functions within the same limits: and:

Provided further that when two persons are so licensed to act within the same limits, the one shall be a member of the Sunni and the other of the Shia, sect.”

4. The instant writ petition is disposed of by directing the State respondents to act strictly in accordance with law.
5. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all the requisite formalities.

(Amrita Sinha, J.)