

D/L
Item No. 13
28.04.2025
KOLE

WPA 20439 of 2024

**Sri Pal Bhattacharya
-Vs.-
The State of West Bengal & Ors.**

Mr. Santanu Das,

...for the petitioner.

Ms. Tanushree Dasgupta,

...for the KMC.

*Mr. Subhendu Bandopadhyay,
Mr. Alok Banerjee,*

...for the State.

Affidavit of service filed by the petitioner in court today is kept with the records.

The petitioner has preferred the present writ petition seeking return of original cause of death certificate along with other relevant documents submitted at the time of cremation of his daughter, to enable him to obtain the Death Certificate from Mumbai.

It is the case of the petitioner that his daughter had died in a road accident on 12.05.2023 in front of Juhu Police Station. He further submits that after her death the post mortem was conducted at Cooper Post-Mortem Centre Juhu, Mumbai-57 and after that, a cause of death certificate was issued to the petitioner. The dead body was cremated at Kashi Mitra Burning Ghat, Strand Bank Road, Kolkata on 14.05.2023. At the time of the cremation, the petitioner submitted all the original documents to the office of Sub-Registrar, Kashi Mitra Burning Ghat, for issuance of the

cremation certificate. Thereafter, a Cremation Certificate was issued by the Sub-Registrar, Kashi Mitra Burning Ghat, on 14.05.2023. The petitioner further contended that after obtaining the Cremation Certificate from the office of the Sub-Registrar at Kashi Mitra Burning Ghat, he approached the office of the Bombay Municipal Corporation to obtain the death certificate of his deceased daughter. However, the Bombay Municipal Corporation refused to accept the duplicate Cremation Certificate issued by the Health Department of the Kolkata Municipal Corporation. The officials of the Bombay Municipal Corporation informed the petitioner that unless the original cause of death certificate and all other original relevant documents submitted at Kashi Mitra Burning Ghat are handed over to them, they will not be in a position to issue Death Certificate to the petitioner. Due to the non-availability of the death certificate, the petitioner and his family are unable to apply to the Go-Air Airlines for the death benefits in respect of their deceased daughter.

Ms. Tanushree Dasgupta, leaned Advocate appearing for the Municipality submits that the respondent authorities are ready and willing to return all the original documents taken at the time of issuance of the cremation certificate subject to the petitioner providing Xerox copies of the documents, duly certified to be true by the petitioner.

The respondent corporation shall release the original documents within one week from the date of submission of the certificate confirming the documents are true copies of the originals.

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

With the above direction WPA No. 20439 of 2024 is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Gaurang Kanth, J.)