

25th Nov., 2025

Item no.D/L 13
Court No. 18

Pradip, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 26811 of 2025**

In the matter of :
Moumita Sinha @ Singh *Petitioner*
VS.
The State of West Bengal & Ors.*Respondents*

For the Petitioner:
Mr. Soumen Dutta
Mr. Subham Dutta*Advocates*

For the Respondent no. 2:
Mr. Ranjay De
Mr. Basabjit Banerjee
Mr. Adityajit Abel Bose*Advocates*

For the WBCSSC:
Mr. Kalyan Bandopadhyay, Sr. Adv.
Mr. Biswaroop Bhattacharjee
Ms. Pramiti Bandopadhyay
Mr. Arka Kumar Nag
Mr. Rahul Kumar Singh*Advocates*

For the State:
Mr. Biplab Guha
Mr. Tapas Kr. Roy*Advocates*

1. Affidavit of service filed in Court today is taken on record.
2. The petitioner seeks for a direction upon the respondent authorities to change her surname from ‘Sinha’ to ‘Singh’ and also change her father’s name from ‘Mantu Sinha’ to ‘Mantulal Singh’.
3. The admit card dated 31st July, 1998 issued by the West Bengal Board of Secondary Education records the name of the candidate as

‘Moumita Sinha’ daughter of ‘Mantu Sinha’ and her date of birth as 18th December, 1980.

4. The petitioner obtained a birth certificate on 2nd August, 2024 from the gram panchayat, Kankaboti by recording her name as ‘Moumita Singh’, the name of her father as ‘Mantulal Singh’ and her date of birth as 18th December, 1982.
5. The petitioner has annexed the death certificate of one ‘Mantulal Singh’ issued on 24th December, 2022 and claims the same to be the death certificate of her father.
6. The petitioner relies on the Kolkata Gazette Extraordinary dated 28th October, 2024 wherein it was declared that ‘Moumita Sinha’ daughter of ‘Mantulal Singh’ has changed her surname from ‘Sinha’ to ‘Singh’ vide affidavit sworn before the Ld. Judicial Magistrate, 1st Class and ‘Moumita Singh’ and ‘Moumita Sinha’ is the same and one identical person.
7. Relying on the aforesaid Gazette publication the petitioner prays that her details recorded by the West Bengal Board of Secondary Education be rectified.
8. On a perusal of the records, it appears that the petitioner has gone to the extent of changing the name of her father after he expired on 24th December, 2022. As long as her father was alive, neither did her father nor the petitioner sought for changing the name from ‘Mantu Sinha’ to ‘Mantulal Singh’.
9. The petitioner has also managed to obtain a birth certificate on a different name with a different date of birth. All the vital details of the petitioner being her name, her father’s name and her date of birth as reflected in her admit card for the class X Board examination

dated 31st July, 1998 have been changed in the new birth certificate dated 2nd August, 2024 issued by the panchayat.

10. The father of a child is the best person to know the name, surname and date of birth of the new born. In the instant case, the father of the petitioner admitted her in a school by the name 'Moumita Sinha', disclosing his name as 'Mantu Sinha' and her date of birth as 18th December, 1980. The Board issued the admit card disclosing the aforesaid details.
11. The petitioner appeared in the Madhyamik examination in the year 1998 and thereafter she pursued higher secondary education with the name 'Moumita Sinha' and all on a sudden she applied for change of her name from 'Moumita Sinha' to 'Moumita Singh', her date of birth from 18th December, 1980 to 18th December, 1982 and her father's name from 'Mantu Sinha' to 'Mantulal Singh'. The said application for change of the details was made by her in the year 2024. By the said date her father expired on 24th December, 2022.
12. Learned advocate representing the respondent no. 2 relies on the notification dated 17th May, 2023 published in the Kolkata Gazette Extraordinary on 18th May, 2023 which clearly lays down the persons who can apply for requesting change of name, surname, reversion to maiden name on divorce/separation/death of the husband, religion and gender. The notification does not permit a child to apply for change of the name of his/her father.
13. The change which the petitioner seeks to make amounts to changing the identity of a person entirely. It does not appear that the change has been sought for any bona fide reason. It is evident that the petitioner intends to obtain certain benefits relying upon the

incorrect data which she intends to insert in her educational certificates. She has prayed for direction upon the School Service Commission to allow her in the interview in the ongoing selection process for recruitment of teachers relying upon such data. The act of the petitioner is absolutely mala fide.

14. In view of the above, the prayer made by the petitioner seeking direction upon the authority to change her surname and also her father's name cannot be allowed.
15. The writ petition fails and is hereby dismissed.
16. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)