

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 15538 OF 2025

Ibrahim Shamshuddin Shaikh

...Petitioner

Versus

Nashik Diocesan Council and ors.

...Respondents

Mr. S. S. Kulkarni, a/w Sujay Palshikar, for the Petitioner.

Smt. Madhubala Kajle, 'B' Panel Advocate a/w M. S. Srivastava,
for Respondent Nos.1 to 6.

Mr. R. D. Soni, i/b Ram & Co., for Respondent Nos.4 and 5.

CORAM: N. J. JAMADAR, J.

DATED: 1st DECEMBER, 2025

Oral Order:-

1. Heard the learned Counsel for the parties.
2. The challenge in this petition is to a communication dated 13th October, 2025, whereby respondent No.1 – District Registrar has informed the Advocate for the petitioner that, the appeal preferred by the petitioner against cancellation of the death certificate of Jaibunissa Yassin Inamdar has been decided.
3. By an order dated 28th July, 2025, this Court had disposed WP/10207/2025 filed by the petitioner assailing the order passed by the Medical Officer cancelling the death certificate of Jaibunissa Yassin Inamdar.

4. In the said order, this Court had noted that the said order was amenable to appeal under Section 25A of the Registration of Births and Deaths Act, 1969. The petitioner was, thus, granted liberty to prefer an appeal before the Appellate Authority; the delay in filing the appeal beyond the period of 30 days was condoned and the Appellate Authority was directed to decide the appeal on merits after providing an opportunity of hearing to the parties.

5. The grievance of the petitioner is that, by the impugned communication, the petitioner has been informed that the appeal has been decided. However, the reasoned order or decision has not been communicated to the petitioner.

6. Under the provisions of Section 25A of the Registration of Births and Deaths Act, 1969, any person aggrieved by any action or order by the Registrar, may prefer an appeal to the District Registrar, and by an order of the District Registrar, to the Chief Registrar.

7. In the instant case, though the impugned communication has been addressed to the petitioner it does not appear that the reasoned order has been served to the petitioner. In the absence of the reasoned order, the petitioner is not in a position

to assail the order passed by respondent No.1 before the Second Appellate Authority.

8. Mr. Soni, the learned Counsel for respondent Nos.4 and 5, would urge that the District Registrar and the Chief Registrar do not discharge quasi judicial functions and, therefore, an adjudication was not warranted.

9. The very fact that an appeal is provided against an action or order of the Registrar implies that the Appellate Authority ought to pass an order which spells out reasons, howsoever brief they may be. Therefore, the submission that the Appellate Authority was not required to record any reason at all cannot be acceded to.

10. Since there is a further appeal before the Chief Registrar under Section 25A(1)(ii), this Court considers it appropriate to direct the District Registrar to furnish a copy of the reasoned order within a period of one week to the petitioner.

11. In the event, the District Registrar has not passed a reasoned order till date, such reasoned order be passed and its copy be furnished to the petitioner, within a period of one week.

12. The petitioner would be, thereafter, at liberty to prefer an appeal before the Chief Registrar, if the petitioner feels aggrieved by the said reasoned order.

13. The petition stands disposed.

[N. J. JAMADAR, J.]