

30.03.2026
SL No.20
Court No.12
(gc)

**MAT 522 of 2026
CAN 1 of 2026**

**Md. Wasimuddin
Vs.
The Kolkata Municipal Corporation & Ors.**

Mr. Bidyut Kr. Halder,
Mr. Indranil Halder

...for the Appellant.

Ms. Tanushree Dasgupta,
Ms. Gulnaz Quraishi

... for the KMC.

1. The appellant/petitioner is aggrieved by an order dated February 17, 2026 passed in WPA 2064 of 2026. The writ petition was dismissed on the ground of delay. His Lordship recorded that although the appellant was born in 1968, he waited for 58 years before he applied for the birth certificate to the corporation. According to the appellant, at the relevant point of time, births would also take place at home. The appellant was born at home.
2. We are not inclined to go into the issues involved and we are also not inclined to decide the issue whether the birth certificate should be granted or not. It is for the corporation and its appropriate authority to pass a reasoned decision in the matter.
3. We direct the petitioner to file a representation with whatever records he has, before the Chief Medical

Health Officer of the Kolkata Municipal Corporation for necessary decision in this regard.

4. It is informed to us by Ms. Dasgupta that the CMHO is the appropriate authority who will look into such matter.
5. If any application is filed with all relevant documents and the same are found to be in order, the application will be processed and considered in accordance with law. If the prayer cannot be allowed, in that event, reason shall be disclosed.
6. Entire exercise shall be completed within six weeks from the date of receipt of the representation.
7. The order impugned is set aside.
8. We do not make any observation on the claim of the appellant and the Corporation will take a decision strictly in accordance with law.
9. Accordingly, the appeal and the connected application are disposed of.
10. There shall be no order as to costs.
11. Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)

(Ajay Kumar Gupta, J.)