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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 801/2026 with CM APPL. 3962/2026

VIKAS MISHRA

.....Petitioner

Through: Mr. Joby P. Varghese and Mr.
Jagmeet Singh Randhawa, Advocates
(through VC)

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Mr. Shiven Varma, Advocate for
GNCTD.
Ms. Mansi Gupta, Advocate for
MCD.
Mr. Neeraj Kumar, Advocate for
NDMC.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

28.03.2026

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The present matter has been taken up today, i.e., 28th March, 2026 as 2nd March, 2026 was declared a holiday.

1. On the last date of hearing, counsel for the respondent no.1/MCD submitted that AIIMS falls within the jurisdiction of NDMC and not MCD. Hence, NDMC would be the concerned body that would issue the death certificate.
2. Taking into account the aforesaid submission, NDMC was impleaded as the respondent no.4 in the present petition.
3. Counter affidavit/status report has been filed on behalf of the



respondent no.4/NDMC, wherein it is stated that since a period more than three years has elapsed since the date of death, the procedure prescribed in Section 13 of the Registration of Births and Deaths Act, 1969 would have to be followed.

4. In terms of the said procedure, written orders from concerned Executive Magistrate (District Magistrate or Sub Divisional Magistrate) would be required.

5. Counsel appearing on behalf of the respondent no.2/SDM, Mehrauli submits that the concerned SDM to carry out the procedure prescribed under Section 13(3) of the Registration of Births and Deaths Act would be the SDM, Chhatarpur since the location of death of the petitioner is Neb Sarai.

6. In view thereof, the present writ petition is disposed of while directing the petitioner to file a written application offline with SDM, Chhatarpur as per the prescribed Standard Operating Procedure ('SOP').

7. Counsel for the respondent no.2 shall provide the SOP to the counsel for the petitioner. Upon filing of the said application, the SDM, Chhatarpur shall process the same within three (3) weeks and forward the same to NDMC as the post mortem in the present case was conducted at AIIMS, which lies within the jurisdiction of NDMC.

8. Upon receipt of the order from SDM, Chhatarpur, NDMC shall issue the death certificate in an expeditious manner.

AMIT BANSAL, J

MARCH 28, 2026

Vivek/-