

Court No. - 40

Case :- WRIT - C No. - 39027 of 2023

Petitioner :- Ashok Kumar Singh

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Shri Niwash Yadav

Counsel for Respondent :- CSC

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Prashant Kumar,J.

1. Heard Shri Shri Niwash Yadav, learned counsel for the petitioner and Shri F.A. Ansari, learned Standing Counsel for the State-respondents.
2. In view of the order proposed to be passed, there is no need to issue notice to the respondent nos. 3 and 4.
3. The petitioner who is a complainant approached to this Court for a direction commanding the District Level Caste Scrutiny Committee, District- Ballia through its Chairman/District Magistrate to decide the complaint/representation of the petitioner dated 07.12.2022.
4. Learned counsel for the petitioner states that respondent nos. 3 and 4 had obtained the caste certificate as Scheduled Tribe (Gond) on the basis of forged documents. He made a complaint to the District Welfare Officer, Ballia which was duly entertained by the Tehsildar and thereafter, the Tehsildar had submitted a report to the District Welfare Officer on 24.08.2023 with certain observations. On the basis of such observation, it is claimed that the contesting respondents do not belong to the Scheduled Tribe community. Learned counsel for the petitioner is confined his prayer that the grievance of the petitioner is to be redressed by the District Caste Scrutiny Committee.
5. Considering the facts and circumstances, we are not inclined to keep the matter pending consideration. With the consent of counsel for the parties, we **dispose of** the writ petition with direction to the District Level Caste Scrutiny Committee to proceed on the complaint of the petitioner strictly in accordance with law but certainly after giving an opportunity of hearing to all the stakeholders in the matter, specially respondent nos. 3 and 4. The entire exercise is to be carried out within two months from the date of production of certified copy of this order. Suffice to indicate that the court has not adverted into the merits of the case.

Order Date :- 12.12.2023

Rama Kant