



2026:UHC:128-DB

Reserved on 22.12.2025

Delivered on 05.01.2026

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Special Appeal No.253 of 2017

Hukum Singh

.....Appellant

Versus

State of Uttarakhand and Others

.....Respondents

Presence:-

Mr. Deep Chandra Joshi, learned counsel for the appellant.

Mr. K.N. Joshi, learned Deputy A.G. for the State.

Mr. Ashish Joshi, learned counsel for respondent nos.3 to 5.

Coram: Hon'ble Ravindra Maithani, J.
Hon'ble Alok Mahra, J. (Per)

This intra-court appeal has been preferred by the appellant assailing the judgment and order dated 25.04.2017 passed by the learned Single Judge in Writ Petition (S/S) No. 1872 of 2015, *Hukum Singh v. Uttarakhand Transport Corporation Ltd. & Others*, whereby the writ petition filed by the appellant came to be dismissed.

2. Brief facts of the case, as per record, are that the appellant was initially appointed as a Driver in the erstwhile Uttar Pradesh State Road Transport Corporation (UPSRTC) under the Scheduled Caste quota vide appointment order dated 27.07.1995, on the basis of a caste certificate claiming that he belonged to Dom caste, a notified Scheduled Caste. His services were subsequently regularised on 07.05.1999. In the year 2009, doubts were raised regarding the genuineness of the caste certificate produced by the appellant at the time



of his initial appointment. Upon such doubts being raised, the matter was referred to the office of the District Magistrate, Dehradun, for verification. The District Magistrate, vide order dated 08.05.2009, directed the concerned Tehsildar to conduct an enquiry into the caste status of the appellant. The Tehsildar submitted an interim report dated 26.09.2009 and a final report dated 06.10.2009. However, being dissatisfied with the findings recorded therein, the District Magistrate constituted a Caste Scrutiny Committee for a detailed examination of the issue. Meanwhile, the services of the appellant were terminated vide order dated 26.10.2009, which was challenged by him in Writ Petition (S/S) No. 1101 of 2009. The said writ petition was allowed by this Court vide judgment dated 03.05.2013, solely on the ground of violation of principles of natural justice, while granting liberty to the respondents to proceed afresh in accordance with law after cancellation of the caste certificate. In compliance thereof, the appellant was reinstated in service, and the matter of caste verification was placed before the duly constituted Scrutiny Committee, which, after examining documentary evidence, village records, statements of the Gram Pradhan and other relevant materials, submitted its report dated 20.08.2014, categorically holding that the appellant was a resident of Village Danola, he belonged to Rawat/Rajput caste and no person named Hukum Singh s/o Madan Singh, belonging to Dom caste, was residing in Village Danola, as claimed by the appellant, and the caste certificate relied upon by the appellant was obtained by misrepresentation and was not genuine. Consequent thereto, a show-cause notice was issued to the appellant. After considering his reply, which was



found unsatisfactory, the services of the appellant were terminated vide order dated 03.03.2015. Challenging the said termination, the appellant filed Writ Petition (S/S) No. 1872 of 2015, which came to be dismissed by the learned Single Judge vide judgment dated 25.04.2017. Hence, present appeal.

3. Learned counsel for the appellant contended that the learned Single Judge failed to appreciate that the caste certificate was issued by a competent authority after due verification; that the reports of the Tehsildar dated 26.09.2009 and 06.10.2009 were ignored without assigning valid reasons; and that the Scrutiny Committee was constituted arbitrarily. It was further urged that the appellant belonged to 'Rawat caste', which, according to him, was a Scheduled Caste, and that the appellant was never supplied relevant documents despite applications under the Right to Information Act.

4. On the other hand, learned counsel for the respondent-Corporation and learned State Counsel submitted that the appellant had secured appointment by fraud, having consciously produced a false caste certificate and furnished an affidavit undertaking that his services could be terminated if the certificate was found to be incorrect. It was submitted that Rawat/Rajput caste is not included in the list of Scheduled Castes, and once the Scrutiny Committee cancelled the caste certificate, the termination followed as a natural consequence.

5. We have heard learned counsel for the parties and perused the record.

6. It is not in dispute that the appellant was appointed against a reserved Scheduled Caste vacancy



and that his eligibility for such appointment was solely dependent upon the validity of the caste certificate produced by him. The Scrutiny Committee, constituted by the District Magistrate, conducted a comprehensive enquiry, examined village records, population registers, statements of local authorities, and concluded that the appellant belonged to Rawat/Rajput caste, which is admittedly not a Scheduled Caste under the Constitution (Scheduled Castes) Order applicable to the State. The law with regard to appointments obtained on the basis of false caste certificates is no longer *res integra*. The Hon'ble Supreme Court, in Kumari Madhuri Patil and Another Vs. Addl. Commissioner, Tribal Development and Others (1994) 6 SCC 241, has held that the findings of a duly constituted Scrutiny Committee are binding and final, subject to judicial review on limited grounds. Further, in R. Vishwanatha Pillai Vs. State of Kerala and Others, (2004) 2 SCC 105, the Hon'ble Supreme Court categorically held that an appointment obtained on the basis of a false caste certificate is *void ab initio*, and no equity, sympathy or length of service can legalise such an appointment. In Union of India Vs. Dattatray Namdeo Mendhekar and Others, (2008) 4 SCC 612, the Supreme Court reiterated that once a caste certificate is cancelled, the employee has no right to continue in service, even if he has served for several years.

7. In the present case, the appellant had not only produced a false caste certificate, wherein the caste of the petitioner was shown as 'Dom', whereas it is an admitted case of the petitioner himself that his caste is 'Rawat', as such, the caste certificate dated 20.03.1995 is per se false on the face of the record. Further, the petitioner had



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furnished an undertaking at the time of appointment to the effect that his services would be liable to be terminated in the event the caste certificate was found to be incorrect. It has also come on record that in the petitioner's Class VIII school leaving certificate, his caste is recorded as 'Rajput', which does not fall within the Scheduled Caste category. Therefore, the action taken by the respondent-Corporation is fully justified both in law and on facts. The learned Single Judge has meticulously examined the record, duly considered the findings of the Scrutiny Committee, and correctly applied the settled legal principles. This Court find no perversity, illegality, or material irregularity in the impugned judgment so as to warrant interference in the present appeal.

8. Accordingly, the appeal fails and is hereby dismissed. The judgment and order dated 25.04.2017 passed by the learned Single Judge in Writ Petition (S/S) No. 1872 of 2015 is affirmed.

9. No order as to costs.

(Alok Mahra, J.)
05.01.2026

Mamta

(Ravindra Maithani, J.)
05.01.2026