

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14740 of 2014

1. Ramdev Kumar Basak son of Sri Alok Kumar Basak resident of village - Sataal, Krishna Mandir, Thakurbari Road, Block - Bahadurganj, P.O. and P.S. Bahadurganj, District - Kishanganj a minor through his father and natural guardian Alok Kumar Basak.

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Kishanganj, Bihar.
2. The District Magistrate, Kishanganj, Bihar.
3. The Sub-Divisional Officer, Kishanganj, District - Kishanganj.
4. The Circle Officer, Bahadurganj, P.S. - Bahadurganj, District - Kishanganj.
5. The Principal, Jawahar Navodaya Vidyalaya, Kishanganj, Bihar.

.... Respondent/s

with

Civil Writ Jurisdiction Case No. 22155 of 2014

1. Alok Kumar Basak s/o Jamin Lal Basak resident of village - Sataal, Krishna Mandir, Thakurbari Road, Block - Bahadurganj, P.O. and P.S. Bahadurganj, District - Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Kishanganj, Bihar.
2. The District Magistrate, Kishanganj, Bihar.
3. The Sub-Divisional Officer, Kishanganj, District - Kishanganj.
4. The Circle Officer, Bahadurganj, P.S. - Bahadurganj, District - Kishanganj.

.... Respondent/s

with

Civil Writ Jurisdiction Case No. 223 of 2015

1. Hitesh Kumar Basak Son of Sri Vijay Kumar Basak Resident of Village - Dohar, P.O - Sontha hat, P.S Bahadurganj, District - Kishanganj a minor through his father and natural Guardian Vijay Kumar Basak.
2. Ruckmani Kumari Daughter of Sri Basant Lal Basak Resident of Village - Dohar, P.O - Sontha hat, P.S Bahadurganj, District - Kishanganj a minor through his father and natural Guardian Basant Lal Basak.
3. Bablu Kumar Basak Son of Sri Jagdish Lal Basak Resident of Village - Dohar, P.O - Sontha Hat, P.S Bahadurganj, District - Kishanganj a minor through his father and natural Guardian Jagdish Lal Basak.

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Kishanganj, Bihar.
2. The District Magistrate, Kishanganj, Bihar.
3. The Sub-Divisional Officer, Kishanganj, District - Kishanganj.
4. The Circle Officer, Bahadurganj, P.S- Bahadurganj, District - Kishanganj.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 133 of 2015

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1. Indu Kumari @ Indu Kumari Basak D/O Kritish Lal Basak Resident of vill-Tanti Basti(Chaupal Tola)P.O+P.S+Distt.-Kishanganj

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Personnel and Administrative Reforms, Govt.of Bihar, Patna, Bihar
2. The Principal Secretary, Department of Welfare Govt.of Bihar, Patna, Bihar
3. The District Magistrate,Kishanganj,Bihar
4. The Sub Divisional Officer,,Kishanganj,Distt.-,Kishanganj.
5. The Block Development Officer,Kishanganj,Distt.-,Kishanganj.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 15612 of 2014

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1. Saurav Kumar Basak son of Sri Jugnu Basak resident of village - Bam Bhola Chowk, Block - Bahadurganj, P.O. and P.S. Bahadurganj, District - Kishanganj a minor through his father and natural Guardian Jugnu Basak.

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Kishanganj, Bihar.
2. The District Magistrate, Kishanganj, Bihar.
3. The Sub-Divisional Officer, Kishanganj, District - Kishanganj.
4. The Circle Officer, Bahadurganj, P.S. - Bahadurganj, District - Kishanganj.
5. The Principal, Jawahar Navodaya Vidyalaya, Kishanganj, Bihar.

.... Respondent/s

with

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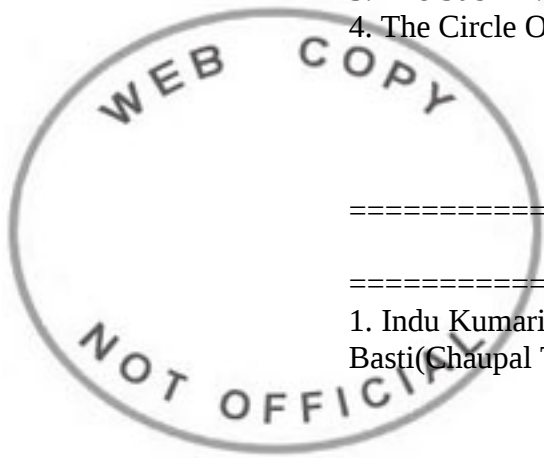
Civil Writ Jurisdiction Case No. 21857 of 2014

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1. Jagnu Basak S/o Sri Gopal Prasad Bosak resident of village - Bam Bhola Chowk, Block - Bahadurganj, P.O. and P.S. Bahadurganj, District - Kishanganj.

.... Petitioner/s

Versus



1. The State of Bihar through the District Magistrate, Kishanganj, Bihar.
2. The District Magistrate, Kishanganj, Bihar.
3. The Sub-Divisional Officer, Kishanganj, District - Kishanganj.
4. The Circle Officer, Bahadurganj, P.S. - Bahadurganj, District - Kishanganj.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 301 of 2014

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1. Shivajee Kumar Basak son of Late Anant Lal Basak Resident Of Village - Tanti Basti, Kasra Patti Road, Ward No. 6, P.O. And P.S. Kishanganj, District - Kishanganj

.... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Department Of General Administration, Government Of Bihar, Patna
2. The Principal Secretary, Department Of General Administration, Government Of Bihar, Patna
3. The District Magistrate, Kishanganj, Bihar
4. The Sub-Divisional Officer, Kishanganj, District - Kishanganj
5. The Block Development Officer, Kishanganj, P.S. - Kishanganj, District - Kishanganj

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 15114 of 2014

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1. Kaushal Kumar Basak son of Sri Jagdish Prasad Basak, resident of village- Bam Bhola Chowk, Block- Bahadurganj, P.O. and P.S. Bahadurganj, District- Kishanganj a minor through his father and natural Guardian Jagdish Prasad Basak

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Kishanganj, Bihar
2. The District Magistrate, Kishanganj, Bihar
3. The Sub-Divisional Officer, Kishanganj, District- Kishanganj
4. The Circle Officer, Bahadurganj, P.S.- Bahadurganj, District- Kishanganj
5. The Principal, Jawahar Navodaya Vidyalaya, Kishanganj, Bihar

.... Respondent/s

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Appearance :
(In CWJC No. 14740 of 2014)

For the Petitioner/s : Mr. K D Chatterjee, Sr Advocate
Mr. Vinay Krishna Tripathy
For the State : Mr. Gautam Bose, AAG 8
Mr. Rohit Mishra

For the Intervener : Mr. Sharda Nand Mishra
(In CWJC No. 22155 of 2014)
For the Petitioner/s : Mr. K D Chatterjee, Sr. Advocate
Mr. Vinay Krishna Tripathy
For the Respondent/s : Mr. GP2- R.K. SINGH
(In CWJC No. 223 of 2015)
For the Petitioner/s : Mr. K D Chatterjee, Sr. Advocate
Mr. Vinay Krishna Tripathy
For the Respondent/s : Mr. GP21- SANJAY PANDEY
(In CWJC No. 133 of 2015)
For the Petitioner/s : Mr. K D Chatterjee, Sr. Advocate
Mr. Vinay Krishna Tripathy
For the Respondent/s : Mr. GP1- UDAY SHANKAR SHARAN SINGH
Ms. Shobha Chaubey
(In CWJC No. 15612 of 2014)
For the Petitioner/s : Mr. K D Chatterjee, Sr. Advocate,
Mr. Vinay Krishna Tripathy
For the Respondent/s : Mr. ASHOK KUMAR KESHRI, AAG 11
For Navodaya Vidyalaya: Mr. J P Karn, Sr. Advocate
Siddharth Prasad
For Union of India : Mr. Sanjay Kumar, ASG
(In CWJC No. 21857 of 2014)
For the Petitioner/s : Mr. K D Chatterjee, Sr. Advocate
Mr. Vinay Krishna Tripathy
For the Respondent/s : Mr. GP1- U.S.S.SINGH
Ms. Shobha Chaubey
(In CWJC No. 301 of 2014)
For the Petitioner/s : Mr. K D Chatterjee, Sr. Advocate
Mr. VINAY KRISHNA TRIPATHY
For the Respondent/s : Mr. PARTHA SARTHY
(In CWJC No. 15114 of 2014)
For the Petitioner/s : Mr. K D Chatterjee, Sr. Advocate
Mr. Vinay Krishna Tripathy
For the Respondent/s : Mr. Mritunjay Kumar, AC to AAG-10
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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 22-07-2015

All the controversies with regard to the status of the petitioners in relation to their caste including cancellation of caste certificates or upholding of such decision by the appellate authority must rest in view of Resolution No. 9532 dated 1st July, 2015, issued by the General Administration Department, Government of Bihar, a

copy of which has been annexed as Annexure-35 to the second supplementary affidavit of the petitioner Alok Kumar Basak.

What is of significance is that this notification also indicates that all such persons, who have derived benefit in the past, will continue to do so and the privilege derived therefrom will not be curtailed or taken away.

Keeping in mind the notification noted above, all these writ applications are now required to be allowed.

Respondent authorities will be bound by the notification dated 01.7.2015 with regard to the caste of the petitioners.

It is made clear that all decisions cancelling caste certificate by the impugned orders are set aside since the reasons for cancellation are non est in view of the notification dated 01.7.2015.

All these writ applications stand allowed.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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