

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11351 of 2012

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1. Amisha Kumari Daughter Of Sri Sanjeev Kumar Basak Resident Of Village- Beni, P.O.:- Bahadurganj, P.S. Bahadurganj, District- Kishanganj
A Minor Through Her Father And Natural Guardian Sanjeev Kumar Basak
2. Sanu Kumar Basak Son Of Sri Din Bandhu Basak Resident Of Village- Beni, P.O.:- Bahadurganj, 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

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Appearance :

For the Petitioner/s : Mr. Vinay Krishna Tripathy
For the Respondent/s : Mr. Dinbandhu Singh Gp9

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 06-10-2015 Heard counsel for the petitioners and the State.

No counter affidavit has been filed.

The petitioners belong to the caste 'Chaupal' which falls in the category of Scheduled Caste as per the Scheduled Caste and Scheduled Tribes Order (Amending Act, 1976) dated 18.09.1976 and the respondents granted them caste certificate(s) of Tanti which is a caste in the category of Extremely Backward Classes (EBC).

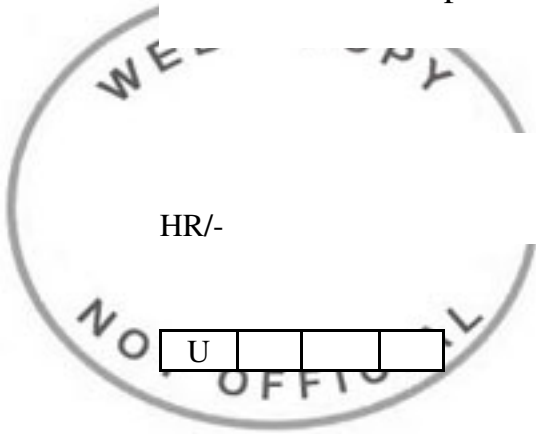
Mr. Tripathy counsel for the petitioners states that that during the pendency of this application the State



Government by a resolution dated 1st July, 2015, issued by the General Administration department, Government of Bihar, has excluded the caste Tanti from the category of EBC and included it in the category of Scheduled Caste. It is stated that in the light of the said resolution of the State Government published in the Bihar Gazette few writ petitions raising similar/identical issues have been disposed of observing that the status of the case in question shall now be governed by the said resolution of the government. A copy of the order dated 22.07.2015 passed in CWJC No. 14740 of 2014 and its analogous cases has been handed in by Mr. Tripathy which is taken on record and marked 'X' for identification. On going through the order it is found that this Court directed the respondent-authority to act as per the resolution dated 01.07.2015 issued by the State Government in the matter of grant of caste certificate.

The present writ application, in view of aforesaid, is also disposed of observing that the respondent, on an application, shall issue caste certificate to the petitioners in the light of the said resolution of the State Government dated 01.07.2015 published in the Bihar Gazette on July 02, 2015. In doing so, the respondent shall not be precluded in

any manner by the earlier caste certificate issued to the
petitioners as ‘Tanti’ belonging to EBC category.



(Kishore Kumar Mandal, J)

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