

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8650 of 2015

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1. Sanjay Bosak son of Sri Prema Nand Bosak, resident of Village- Panasi, P.O. Panasi Hat, P.S. Paharkatta, Block- Pothiya, District- Kishanganj.
 2. Ranjeet Kumar Bosak son of Late Lalit Bosak, resident of Village- Panasi, P.O. Panasi Hat, P.S. Paharkatta, Block- Pothiya, District- Kishanganj.

.... Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Department General Administration, Government of Bihar, Patna.
2. The Joint Secretary, Department of General Administration, Government of Bihar, Patna.
3. The Under Secretary, Department of General Administration, Government of Bihar, Patna.
4. The D.G. Weaker Section, Crime Investigation Department, Government of Bihar, Patna.
5. The District Magistrate Kishanganj.
6. The District Programme Officer Establishment Kishanganj, District- Kishanganj.
7. The Block Development Officer Pothiya, District- Kishanganj.
8. The Circle Officer Pothia, District- Kishanganj.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Roy
For the Respondent/s : Mr. Satya Deo Kumar, SC-5

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 04-12-2015

Heard both sides.

The petitioners have challenged the communication dated 09.12.2014 whereby their status as 'Chaupal' was not accepted on the basis of the report submitted by the Criminal Investigation Department as well as the Circle officer.

Mr. Roy states that the similar issue(s) was raised and considered by a common order passed in CWJC No. 14740 of

2014 (Ramdev Kumar Basak vs. The State of Bihar & Ors) and analogous cases. The copy of the said order is enclosed as Annexure-30 to the supplementary affidavit. Said order was passed considering the resolution of the Government in the Department of General Administration contained in letter no. 9532 dated 01.07.2015 (Annexure-29). He prays for disposal of the present writ petition in the same terms.

Learned counsel for the State, on going through the pleadings on record including the said order (Annexure-30) has not objected to such prayer.

By a common order several writ petitions were disposed of by this Court observing as under:-

“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.”

The present writ application is disposed of in the terms in which CWJC No. 14740 of 2014 and analogous cases were disposed of.

If need be the respondents will modify the impugned orders contained in Annexures 1 and 1(A) or pass a fresh order in the case of the petitioners in the light of the present order.

(Kishore Kumar Mandal, J)

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