

THE HIGH COURT OF TRIPURA
A G A R T A L A

W.P(C) No. 504 of 2010

Petitioner :

Sri Surjya Bahadur Thapa,
S/o Kharka Bahadur Thapa,
Nepali Basti, P.O: Nandan Nagar,
P.S- East Agartala, Dist-West Tripura.

By Advocate :

Mr. D. C. Roy, Adv.

Respondents :

- 1. The State of Tripura,**
Represented by the Secretary-Commissioner,
Department of Home, Govt. of Tripura.
- 2. The Commandant,**
4th Battalion, Tripura State Rifles, Subhasnagar,
P.O: Kanchan Nagar, District: North Tripura.
- 3. Sub-Divisional Magistrate,**
Sadar, West Tripura, Govt. of Tripura.
- 4. Ranaditya Das, AC,**
Enquiry Officer, 4th Battalion, Tripura State Rifles,
Subhasnagar, P.O: Kanchan Nagar, Dist: North
Tripura.
- 5. Director General of Police,**
Govt. of Tripura, P.O- Agartala, Agartala, West
Tripura.

By Advocate :

Ms. A. S. Lodh, Addl. G. A.

B E F O R E
THE HON'BLE CHIEF JUSTICE MR. DEEPAK GUPTA
THE HON'BLE MR. JUSTICE S. C. DAS

Date of hearing &
Judgment & Order : **29th April, 2015.**

Whether fit for reporting :

Yes	No
	√

JUDGMENT & ORDER (ORAL)

(Deepak Gupta, C.J.)

The petitioner by means of this petition has prayed for quashing of the physical verification report dated 27.07.2009, the provisional order dated 23.08.2009 and the final order dated 27.11.2009 whereby the caste certificate issued in favour of the petitioner has been cancelled.

[2] The sole question is whether the petitioner belongs to the scheduled caste or not. He relies upon a certificate dated 27.7.94 issued by the Addl. Sub-Divisional Officer, Sadar, West Tripura wherein the petitioner is stated to be belonged to the Lepcha community recognized as scheduled caste. On the top of the page it is mentioned that the certificate is issued by the Tribal Welfare Section. It was contended before us that the petitioner should have been issued a scheduled tribe certificate and this certificate should be read as scheduled tribe certificate.

[3] On the other hand, on behalf of the State it was contended that this certificate which is produced is a totally false and forged certificate since on 27.04.1994 neither any scheduled caste certificate nor any scheduled tribe certificate had been issued in favour of the petitioner.

[4] On 01.04.2015 we had passed the following order:

"The State is directed to produce the record relating to issuance of all Scheduled Caste and Scheduled Tribe certificates issued in the month of July, 1994.

List on 29th April, 2015."

The record has been produced. We have gone through the record ourselves and we find that neither against the number mentioned in the certificate relied upon by the petitioner i.e. No.885,F.X.112/SDO/SDR/TW/94-95 nor on the date i.e. 27.07.1994 nor in

fact in the month of July any certificate has been issued in favour of the petitioner showing him to be a member of the scheduled caste or a member of the scheduled tribe. We had permitted Sri D. C. Roy to go through the records and he has also been unable to point out any entry to show that such a certificate had been issued in favour of the petitioner.

[5] In this view of the matter, there is no merit in the petition which is accordingly dismissed. No order as to costs.

JUDGE

CHIEF JUSTICE