

HIGH COURT OF CHHATTISGARH, BILASPUR**REVP No. 95 of 2012**

1. State Of Chhattisgarh, through Scheduled Castes & Scheduled Tribes Development Department, DKS Bhawan, Raipur (C.G.)
2. The Secretary, Government of C.G. General Administration Department, DKS Bhawan, Raipur C.G.
3. The Caste Certificate High Level Scrutiny Committee, Through Secretary-Cum-Commissioner, Tribal & Scheduled Caste Development, Pandit Ravishankar Shukla University Campus, Raipur C.G.

---- Petitioner**Versus**

1. Rajesh Livingstone, aged about 42 years, S/o Mr. Walter Livingstone, R/o Quarter No.161, Labour Colony, Rajnandgaon(CG)

---- Respondent

For Petitioners. - Mr. Satish Gupta, Govt. Advocate.

For Respondent No. - Mr. Prateek Sharma and Ms. Pragya Pandey, counsel.

Hon'ble Shri Justice T. P. Sharma
Hon'ble Shri Justice Inder Singh Uboweja

Order On Board**15/04/2015**

1. This is petition for review of order dated 21.03.2012 passed by the Writ Court in W.P. (S) No.7348/2009 on the ground that Writ Court has wrongly held that vigilance report was not supplied to respondent. Although, vigilance report has been supplied to the respondent along with notice issued by the Caste Scrutiny Committee i.e. High Level Caste Scrutiny Committee vide its letter dated 23.04.2009.
2. Vide order in question, Writ Court has not decided the matter finally and has observed in para 9 and 10 as follows:-

“9. In view of the above, the High Power Caste Scrutiny Committee is directed to initiate a fresh enquiry from the stage of supply of a copy of the report of the vigilance officer to the petitioner, and thereafter, enquiry be concluded, in accordance with law, as early as possible, preferably within a period of four months.

10. Consequently, the impugned order dated 16.11.2009 (Annexure P/1) and the consequential orders dated 11.12.2009 (Annexure P/11) and 08.03.2010 (Annexure P/12) are quashed. The petitioner is entitled to consequential benefits flowing from this order, till final decision is taken by the High Power Caste Scrutiny Committee, as aforesaid”.

3. High Power Caste Scrutiny Committee was required to conclude enquiry and pass the order, in accordance with law, preferably within a period of four months, but it appears that till today High Power Caste Scrutiny Committee has not concluded the enquiry in the light of para 9 and 10 of the order impugned. We do not find any ground for review of the order dated 21.03.2012.
4. Consequently, the petition is liable to be dismissed and is hereby dismissed.
5. The High Power Caste Scrutiny Committee is directed to comply with the order especially para 9 of the order in question within four months from today. No order as to costs.

JUDGE

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