

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No.1548 of 2015**

Ku. Rekha Khairwar D/o Shri Raghuvanshmani Khairwar, Aged About 24 Years R/o Village Mendra, Tahsil Takhatpur, P. S. Chakarbhata, District Bilaspur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Tribal Welfare Department, Mantralaya, Naya Raipur, Raipur (Chhattisgarh)
2. Additional Collector Bilaspur, District Bilaspur Chhattisgarh.
3. Sub Divisional Officer (Revenue) Kota District Bilaspur (Chhattisgarh)
4. Additional Tehsildar Sakri (Takhatpur) District Bilaspur (Chhattisgarh)

---- Respondent

For Petitioner	:	Shri Jitendra Pali, Advocate
For Respondent/State	:	Shri S. P. Kale, Dy.A.G.

Order On Board**09/09/2015**

Heard.

2. Short submission of learned counsel for the petitioner is that the application of the petitioner for issuance of permanent caste certificate was rejected by the Sub Divisional Officer, which has been affirmed by the Collector vide order dated 15-10-2014. Learned counsel for the petitioner submits that the main operative reason for rejection of application for issuance of permanent caste certificate is that the petitioner has failed to place on record any documents prior to year 1950.

3. In the case of ***Ramsajiwan vs. State of Chhattisgarh and others***¹ this Court directed to consider the case and pass appropriate order without insisting on production of land records prior to year 1950, as land records alone are not the

¹ W.P.S.No.6616-2008, decided on 19-08-2010

requirement. Similar order was passed by this Court in the case of ***Anjali Kujur vs. State of Chhattisgarh and others***². It appears that aforesaid two orders passed by this Court dealing with the issue were not brought to the notice of the Sub Divisional Officer and the Collector while deciding petitioner's case.

4. The impugned orders, are therefore, set aside and the matter is remanded back to the Sub Divisional Officer to consider the petitioner's application for issuance of permanent caste certificate in accordance with the directions issued by this Court in cases referred to above.

5. Accordingly, the petition is allowed. It is made clear that this Court has not commented upon the merits of the petitioner's claim.

**Sd/-
Manindra Mohan Shrivastava
Judge**

Tumane