

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 272 of 2015

- Devesh Singh Rajput S/o Shri R.M. Singh, Aged About 44 Years,
R/o P.S. Akaltara, District. Janjgir Champa C.G.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of
Animal Husbandry & Dairy Development, Mahanadi Bhawan,
Capital Complex, Mantralaya, New Raipur (C.G.)
2. Director, Veterinary Service Raipur C.G.
3. Dy. Director, O/o Dy, Director Veterinary Service Rajnandgaon
C.G.
4. District Level Caste Certificate Scrutiny Committee Through Its
Asst. Commissioner/ Member Secretary, O/o Collector (Tribal
Development Department) District Rajnandgaon C.G.
5. Ku Pallavi Meshram D/o Shri Arvind Kumar Meshram Asst.
Veterinary Area Officer O/o Dy. Director Veterinary Services,
Rajnandgaon C.G.

---- Respondent

For Petitioner	Mr. Lav Sharma, Advocate
For Respondent/State	Mr. P.K. Bhaduri, Government Advocate
For Respondent No.5	Mr. Shashank Thakur, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board By

15/9/2015

Heard finally with the consent of learned counsel for the parties.

(2) The petitioner has preferred this petition seeking writ of *quo*

warranto against the respondent No.5 on the ground that respondent No.5 has obtained employment as Assistant Veterinary Field Officer against the reserved quota even though she does not belong to Scheduled Caste category.

(3) Learned counsel for the State would submit that the petitioner had also moved a complaint before the Tribal Research Institute, High Power Caste Scrutiny Committee, challenging the caste status of respondent No.5. The said committee has enquired into the matter and found that the respondent No.5 belongs to "*Mahar*" Scheduled Caste Community and in view of the above, the very foundation of challenge to appointment of the respondent No.5 on the ground that she has acquired the post by falsely claiming herself to be Scheduled Caste reserve category member has been demolished.

(4) This petition for issuance of *quo-warranto* cannot continue once the respondent no.5 has been declared to be belonging to Scheduled Caste community. Now the remedy for the petitioner lies to challenge the order -Annexure P/1 passed by the Higher Power Caste Scrutiny Committee.

(5) Accordingly, the writ petition is dismissed with the liberty aforesaid.

Sd/-

Judge

(Prashant Kumar Mishra)