

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.23818 of 2013

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1. Manoj Kumar Chaupal Son Of Vishwa Nath Chaupal Resident Of Village Belha,
P.O. Belha, P.S. Kusheshwar Asthan, District Darbhanga

.... Petitioner/s

Versus

1. The State Of Bihar Through The Secretary, Department Of General
Administration, Government Of Bihar, Patna
2. The Principal Secretary, Department Of General Administration, Government Of
Bihar, Patna
3. The District Magistrate, Darbhanga
4. The Sub Divisional Officer, Biraul, Darbhanga
5. The Circle Officer, Kusheshwar Asthan, Darbhanga

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. SANJAY KUMAR

For the Respondent/s : Mr. ASHOK KUMAR KESHRI

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 15-07-2016

Heard.

The writ application prays for a direction upon the respondent(s) particularly The Circle Officer, Kusheshwar Asthan, Darbhanga to issue a fresh caste certificate certifying the petitioner as belonging to “Chaupal” caste (SC).

The father of the petitioner served the Government on the basis of the caste certificate dated 04.02.1970 (Annexure-1) certifying him as belonging to “Chaupal” caste (SC). Annexure-4 is the copy of the land record (khatiyan) which indicates the caste status of the raiyat (father of the petitioner) as “Chaupal”.



On the basis of the aforesaid, petitioner was also issued a caste certificate of “Chaupal” on 14.03.2002 (Annexure-3). In order to get employment, he was required to produce a fresh caste certificate for which he applied before the Circle Officer (Annexure-2). The respondent(s) sat over the matter which propelled the petitioner to approach this Court with the aforesaid prayer.

It has been submitted on behalf of the petitioner that in view of the status of the family of the petitioner reflected in the revenue records and the caste certificate(s) issued in favour of the father of the petitioner as well as the petitioner as also the recent resolution of the State Government taken in the Department of General Administration, the petitioner is entitled to get Scheduled Caste certificate (Chaupal). However, the respondent(s) have not considered the same. It is stated that writ application be disposed of directing the Circle Officer to consider the pending application of the petitioner and grant/issue the caste certificate in favour of the petitioner.

Having heard the submission, I am satisfied, the writ application merits to be disposed of by directing the Circle Officer to consider the application of the petitioner (Annexure-2) and grant appropriate caste certificate, if not already granted/issued, as quickly as possible preferably within four weeks from the date of

receipt/production of a copy of this order.



(Kishore Kumar Mandal, J)