

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12180 of 2013

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1. Anirudh Kumar Chaupal Son Of Jiwanand Chaupal Resident Of Village -
Simraha, Police Station - Simraha, District - Araria

.... Petitioner/s

Versus

1. The State Of Bihar , through Its Principal Secretary, Department Of
General Administration, Old Secretariat, Patna
2. The District Magistrate, Araria
3. The Circle Officer, Forbisganj

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Suresh Roy, Sr. Advocate.
For the State : Mr. Sunil Kumar AC to AAG-6.

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 11-03-2016 Heard Mr. Ram Suresh Roy Sr. Advocate for the
petitioner and AC to AAG-6 for the State.

The petitioner is the minor son represented by his father. He passed the 10+2 examination and is pursuing his avenues for further studies or employment. For this purpose an application for grant of caste certificate of Chaupal caste was filed by him before the respondent –Circle Officer annexing therewith other documents which indicate that the petitioner belongs to Chaupal caste. The details of the documents submitted by the petitioner in support of his request for grant of Chaupal caste certificate have been enumerated in para 12 of the writ petition. Since the respondents did not issue caste certificate the present writ petition



has been filed. Although the petition asserts that the respondent - Circle Officer has rejected his prayer for grant of caste certificate of Chaupal but on perusal of Annexure-8 it appears that they are the notings in the file. No formal communication in this regard was ever issued to the petitioner either allowing his request and/or refusing the request for issue of caste certificate.

Mr. Roy has relied on diverse judgments of this Court in order to contend that the persons belonging to Chaupal are known by different surnames. At some place they are called Taanti or Paan or Swasi. Details in this regard have been set out in para 11 of the writ petition. Of late the State Government resolved on 1.7.2015 issued in the department of General Administration on the recommendation of the Extremely Backward Classes Commission for taking off the caste(s) Taanti/Tatma from the list /category of EBC. This Court had directed in CWJC No. 14740 of 2014 for disposal of such disputes in the light of the said resolution of the Government . That apart, other documents including the caste certificate(s) granted to the father, the mother and other family members of the petitioner were enclosed along with the application. Indisputably, no order either granting or refusing to grant caste certificate, as prayed, has been passed/issued by the Circle Officer and

communicated to him.

Considering the above, this Court disposes of the writ petition by directing the Circle Officer to consider the claim of the petitioner and to issue the caste certificate in favour of the petitioner and in case there is refusal then to pass an appropriate order which shall be communicated to the petitioner within a period of 06 weeks from the date of receipt/production of a copy of this order before him. It will be open to the petitioner to file other/additional documents in support of the claim before the Circle Officer including the recent resolution of the State Government.

(Kishore Kumar Mandal, J)

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