

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 680 of 2016

Milketan Sidar S/o Mayaram, Aged About 30 Years R/o Village Reda, Tahsil And P.S. Dabhra, District Janjgir Champa, (Chhattigarh)

---- Petitioner

Versus

1. Union Of India Through Secretary, Ministry Of Tribal Affairs, Shastri Bhawan, New Delhi
2. State Of Chhattisgarh, Through The Secretary, Department Of Tribal Affair, Mahanadi Bhawan, Naya Raipur, Mantralaya, District Raipur, (Chhattigarh)
3. Collector, Janjgir, District Janjgir Champa, (Chhattigarh)
4. Sub Divisional Officer (Revenue), Dabhra, District Janjgir Champa, (Chhattigarh)
5. District Registrar, Janjgir, District Janjgir Champa, (Chhattigarh)
6. Deputy Registrar, Dabhra, District Janjgir Champa, (Chhattigarh)
7. District Level Caste Scrutiny Committee, Collectorate Premises, District Janjgir Champa, (Chhattigarh)
8. Tahsildar, Tahsil Dabhra, District Janjgir Champa, (Chhattigarh)

---- Respondents

For Petitioner : Shri K.K. Patel, Advocate

For respondent/State : Shri B. Gop Kumar Dy.A.G.

S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

16/03/2016

1. This petition has been filed by the petitioner seeking a direction to respondents to process petitioner's application for alienation of agricultural

land without raising any objection on the ground of petitioner being a Scheduled Tribe of “Saunra” community.

2. Learned counsel for the petitioner has placed reliance upon an order passed by the Division Bench of this Court on 03/04/2013 in the case of **Vasudev Sharma Vs. State of Chhattisgarh and ors** to contend that “Saunra” has not so far been added in the list of Scheduled Tribe by any Parliamentary legislation.
3. Learned State counsel could not dispute legal position adumbrated in order dated 03/04/2013 passed in WP (PIL) No.13/2013.
4. In view of above, the respondent authorities are directed to act in conformity with the legal position as stated in order dated 03/04/2013 passed by the Division Bench of this Court keeping in mind that till date “Saunra” has not been included in the list of Scheduled Tribe though process may have been initiated.
5. It is made clear that the same legal position will apply in the case of the petitioner also.

Sd/-
(Manindra Mohan Shrivastava)
Judge