

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPC No. 474 of 2016**

1. Ayush Bhagat S/o Ashok Bhagat, Aged About 19 Years Caste Mahar, R/o Block 5/ D, Street No.24, Sector -6, Bhilai, District Durg, (Chhattisgarh)
2. Ayushi Bhagat, D/o Ashok Bhagat, Aged About 18 Years Caste Mahar, R/o Block 5/ D, Street No.24, Sector-6, Bhilai, District Durg, (Chhattisgarh)

**---- Petitioners**

**Versus**

1. State Of Chhattisgarh Through: The Secretary, Tribal Welfare Department, Mahanadi Bhawan, Mantralaya, New Raipur, District Raipur, (Chhattisgarh)
2. Sub Divisional Officer, Durg, Tahsil And District Durg, (Chhattisgarh)

**---- Respondents**

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|----------------|---|--------------------------------|
| For Petitioner | : | Ms. Hamida Siddiqui, Advocate. |
| For State      | : | Mr. Ramakant Mishra, Dy. A.G.  |

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**Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**22/02/2016**

Heard.

1. The petitioners' grievance as ventilated through this petition is that the petitioners' application for grant of temporary caste certificate is not being decided on the ground that the petitioners are not possessed of any document prior to 1950, showing petitioners' caste status as claimed.

2. The record does not show that any order has been passed on petitioners' application till date. According to the petitioners, the petitioners have submitted an application on 09.02.2016. There is, however no

acknowledgment.

3. The State counsel submits that if the petitioners have already submitted an application, the competent authority shall decide it in accordance with law and as per the provision contained in the Chhattisgarh Scheduled Castes, Scheduled Tribes and Other Backward Classes (Regulation of Social Status Certification) Rules, 2013.

4. On petitioners approaching the SDO concerned within a period of two weeks from today, along with application in writing filled up in the prescribed format, the SDO shall make necessary enquiry expeditiously to consider petitioners' application in accordance with the provisions of the Rules, 2013. Considering that the petitioners are seeking temporary certificate, let a summary enquiry be made for a limited purposes at the earliest whether a temporary certificate can be issued to the petitioners or not. Atleast the aspect of issuance of temporary certificate be decided by the Competent Authority/ Certificate Issuing Authority within four weeks from the date of receipt of copy of the application.

5. With the aforesaid observations, the petition is disposed off.

Sd/-

**(Manindra Mohan Shrivastava)**  
**J U D G E**