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HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 575 of 2016

1. Rajendra Prasad Sonikar S/o Shri Nageshwar Sonikar, Aged About 47 Years R/o Village And P.O. Gopalpur, P.S. Darri, Tahsil Katghora, District Korba, Chhattisgarh
2. Dubraj Singh, S/o Shri Shivram, Aged About 51 Years R/o Village And P.O. Gopalpur, P.S. Darri, Tahsil Katghora, District Korba Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Tribal Welfare Development, Mahanadi Bhawan, Naya Raipur, Post Office & Police Station Naya Raipur, District Raipur Chattisgarh
2. Tribal Welfare Development Department, Through Its Commissioner, Indravati Bhawan, Ground Floor, D Block 4, Chhattisgarh New Raipur
3. The Collector, Korba Chhattisgarh
4. The Sub Divisional Officer, Revenue, Katghora, District Korba Chhattisgarh
5. District Education Officer, Korba Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Shailendra Dubey, Advocate.
For State	:	Mr. Satish Gupta, Government Advocate on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

08/03/2016

Heard.

1. The petitioners have filed this petition apprehending adverse order and action in view of letter dated 08.02.2016 (Annexure P/1).
2. Learned counsel for the petitioners submits that earlier there

was a cloud with regard to petitioners' caste status and they had approached this Court by filing a petition, which was finally disposed off vide order dated 20.04.2010. In compliance of order passed by this Court, the State Level Caste Scrutiny Committee held enquiry and took a final decision in the matter vide order dated 08.10.2015. It is submitted that now the Sub-Divisional Officer is again reopening the matter by requiring the petitioners to again submit the detailed documents for examination. The petitioner has also raised grievance that despite order passed by the State Level Caste Scrutiny Committee, he is not being reinstated in service as was ordered by this Court while finally disposing of the writ petition.

3. Learned State counsel submits that the letter shows that the petitioners are only required to submit documents and it does not show that any adverse decision to the petitioners' interest has been taken much less any adverse order passed.

4. The issue with regard to petitioners' caste status has been decided by the State Level Caste Scrutiny Committee. Obviously, as long as that order stands, it is binding on all the authority in State including the respondent Sub-Divisional Officer (Revenue) Katghora. The petitioners may submit all the necessary documents including the order of the Court as also subsequent order of the State Level Caste Scrutiny Committee for perusal of the Sub-Divisional Officer (Revenue), who shall examine and take necessary decision in the matter. As the State Level Caste Scrutiny Committee's report has already come, it is expected that the authority shall proceed to expeditiously take decision in the matter in compliance of the order passed by this Court earlier on 20.04.2010. At this stage, this petition is disposed off reserving liberty to the petitioners to take recourse to remedy in case any adverse decision is taken/ order passed.

Sd/-

(Manindra Mohan Shrivastava)

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