

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No. 2027 of 2017

Arising out of

Civil Writ Jurisdiction Case No. 12897 of 2016

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Smt. Indira Sinha, Wife of Prabhu Lal Mahto, Resident of Village- Saidpur,
Post- Rahimpur, P.S. Sonapur, Block- Sonapur, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The District Magistrate-cum- District Election Officer, Saran.
3. The Circle Officer, Sonapur, Saran.
4. The Bihar State Election Commission through the Secretary, Bihar, Patna.
5. The Bihar State Election Commission, Patna.
6. Sadhu Sah, Son of Late Haribansh Sah, Resident of Village- Gheghtha, P.S. Sonapur, District- Saran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL ORDER

2 08-11-2017 Heard learned counsel for the petitioner and the
State.

2. The present application has been filed seeking
modification of the order dated 18.04.2017 passed in **C.W.J.C.
No. 12897 of 2016** in the case of **Smt. Indra Sinha vs. The
State of Bihar & Ors.**

3. Learned counsel for the petitioner submitted that
the Court had permitted the petitioner to withdraw the writ
application to approach the Civil Court of competent jurisdiction
for a declaration with regard to her caste being *Dangi*. It was



submitted that the petitioner has two other options before her; one of moving before the Caste Scrutiny Committee and the other before the authority which in law is empowered to issue the caste certificate. It was submitted that the order be modified to the extent that the petitioner be given liberty to move before any forum which she chooses.

4. Having considered the matter, the Court is inclined to partly allow the prayer of the writ petitioner. Accordingly, the application stands disposed off with modification in the 4th paragraph of the order dated 18.04.2017 in C.W.J.C. No. 12897 of 2016, giving further liberty to the petitioner that she can also move afresh before the authority itself which issues the caste certificate. If such an application is filed, the same has to be considered on the basis of materials produced before the issuing authority and in accordance with the Government guidelines, especially that of the Department of General Administration.

(Ahsanuddin Amanullah, J.)

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