

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24178 of 2013

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Bimlesh Kumar S/O Sri Rameshwar Prasad Resident Of Village Amatihya,
P.S- Yogapatt, District- West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Human Resources,
Govt. Of Bihar, Patna.
2. The Director Primary Education, Bihar, Patna.
3. The District Magistrate, West Champaran.
4. The District Education Officer, West Champaran.
5. The Distict Program Officer, West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh
For the Respondent/s : Mr. S.A. Alam

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 29-10-2018 The dispute as to the determination of caste is no

more res integra.

The Apex Court has decided the issue in the case of

Kumari Madhuri Patil vs. Addl. Commissioner reported in

AIR 1994 SCC(6)241.

In view of the law laid down by the Apex Court in the
case of Kumari Madhuri Patil(supra), the question as to the
determination of caste of the petitioner whether the petitioner
belongs to Scheduled Tribes is required to be authoritatively
decided by the Committee in terms of judgment of the Apex
Court (supra) and after decision by the competent authority in
terms of direction of the Apex Court, the petitioner would be



entitled to consideration afresh in accordance with law.

With the aforesaid, the writ petition stands disposed
of.

(Anil Kumar Upadhyay, J)

Ravi/-

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