

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO. 1069 OF 2010**

1. Ku.Priya Bhoi D/o Shri Govind Prasad Bhoi, aged about 29 years R/o Panchwati Hostel,m Working Women hostel, Behind Collectorate Premises near EAC Colony, Gandhi Chowk, Raipur (CG).

...Petitioner(s)**Versus**

1. State of Chhattisgarh thorough Secretary, Scheduled Caste and Schedule Tribe Department, Mantralaya, DKS Bhawan Raipur (CG).
2. Indira Gandhi Agricultural University, through Vice Chancellor (Kulpati) Krishak Nagar Raipur (CG).
3. State Level High Power Caste Verification Committee, Raipur (Tribal Research and Training Institution) Through its Director, University Campus, Raipur (CG).

... Respondent(s)

For Petitioner	:	Shri Basant Dewangan, Advocate.
For Respondent-State	:	Shri Shashank Thakur, G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****14.05.2018**

1. The petitioner as of now is working as Assistant Grade-III under the respondent No.2. Vide Annexure P/5 dated 26.10.2009, the petitioner has been issued with an order to get her caste certificate verified from the respondent No.3 by the 31.03.2010, failing which her services would stand terminated.
2. By virtue of interim order granted by this court on 25.03.2010, the petitioner is continuing in service.
3. The petitioner submits that she has already moved an application before the Caste Scrutiny Committee and which is still pending consideration. The petitioner could not produce any document of prior to 10.08.1950 to establish her caste. He submits that subsequently now the State Govt. has issued a circular on 29.06.2016 wherein it

has been held that for the verification of the caste certificate, the documents prior to 10.08.1950 will not be insisted by the Committee, however, there was a rider attached to the circular which says that in the event if ultimately at a later stage a complaint is received by the department so far as caste status of the petitioner is concerned, then it shall be the responsibility of the employee to prove and establish his/her status before the Committee. In view of the subsequent circular, the petitioner prayed for the disposal of the petitioner with a direction to the respondent No.3 to scrutinize the case of the petitioner verifying her caste status at the earliest keeping in view the circular dated 29.06.2016.

4. The said prayer of the petitioner is not opposed by the State counsel.
5. This court on an earlier occasion also in WPS No. 3672 of 2008 decided on 12.04.2018 had disposed of a similar writ petition. Accordingly, the present writ petition also stands disposed of with a direction to the respondent No.3 to ensure that the verification of the caste status of the petitioner is done at the earliest. The respondent No.3 shall also bear in mind the circular of the State Govt. dated 29.06.2016 so far as non insisting of the documents prior to 10.08.1950 for verification purpose.
6. With the aforesaid direction, the writ petition stands disposed of.
7. It is ordered that till the representation of the petitioner is pending before the respondent No.3, no coercive steps shall be taken by the respondent No.2 on the basis of the caste status of the petitioner.

Sd/-
(P. Sam Koshy)
Judge