

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1698 of 2017**

- Hayns Blicks S/o Shri Voel Robert, Aged About 19 Years Caste Saatnami, Occupation Student, M. B. B. S. First Year, Present Address Government Boys Hostels Medical College, Ambikapur, District Surguja Chhattisgarh.

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Secretary, Department of Scheduled Caste And Scheduled Tribe Welfare Development, Mahanadi Bhawan, Mantrayla, New Raipur, Chhattisgarh
2. The Secretary, Department Of Revenue, New Mantralaya, Mahanadi Bhawan, New Raipur, Chhattisgarh
3. The Secretary, Department Of Health And Medical Education, New Mantralaya, Mahanadi Bhawan, New Raipur, Chhattisgarh.
4. Director, Department Of Medical Education, Raipur, Chhattisgarh
5. DEAN, Government Medical College, Ambikapur, District Surguja, Chhattisgarh
6. Collector, District Kondagaon, Chhattisgarh
7. Sub Divisional Officer Revenue, Sub Division Kondagaon, District Kondagaon, Chhattisgarh.
8. Warden, Government Boys Medical Hostel, Ambikapur, District Surguja, Chhattisgarh

---- Respondents

For Petitioner	:	Shri A.N. Bhakta, Advocate.
For State	:	Shri Prafull N. Bharat, Additional Advocate General.

Hon'ble Thottathil B. Radhakrishnan, Chief Justice**Hon'ble Shri Justice Sharad Kumar Gupta****Order on Board****Per Thottathil B. Radhakrishnan, Chief Justice****13.03.2018**

1. Heard the learned counsel for the Petitioner and the learned Additional Advocate General for the State.

2. This writ petition is filed by a student undergoing MBBS course. He has sought relief in the wake of the fact that he has been treated as a person not entitled to the benefit of reservation. He contends that the caste certificate issued to him has been erroneously disregarded by the official Respondents.
3. The official Respondents have filed return stating, *inter-alia* in paragraphs 3 and 4 thereof, that there are some mistakes of the case numbers and the action taken against the Petitioner was on an erroneous premise.
4. We are satisfied that the action taken against the Petitioner was vitiated by mistake of fact.
5. Hence, this writ petition is ordered directing that Annexure P/1 will not be applied as against the Petitioner and he will be allowed to appear in the examination and to continue with the course of MBBS for the batch into which he was admitted. He will also be allowed to utilize the facilities already given to him to occupy the Government Medical College Hostel, Ambikapur. It is so ordered and directed.

Sd/-

(Thottathil B. Radhakrishnan)
Chief Justice

Sd/-

(Sharad Kumar Gupta)
Judge