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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 1949 of 2018**

- Rajesh Kumar Meshram, S/o Shiv Ram Meshram, Aged about 48 years, Cast – Mahar, Resident of Ward No.3 Dixit Colony, Bhilai Nagar Bhilai, Tahsil and District – Durg, Chhattisgarh.

---- Petitioner

Versus

1. State of Chhattisgarh, Through its Secretary, Department of Tribal Welfare, Mahanadi Bhawan, Naya Raipur, Chhattisgarh.
2. The Collector – Durg, District – Durg, Chhattisgarh.
3. The Sub Divisional Officer (Revenue), Durg, District – Durg, Chhattisgarh.
4. The Tahsildar – Durg, District – Durg, Chhattisgarh
5. State of Chhattisgarh, Through the Secretary, Health and Family Welfare Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh
6. Directorate of Medical Education – Raipur, Through its Director, Old Nurses Hostel, D.K.S. Bhawan Parisar Raipur, District – Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Love Kumar Ramteke and Shri Ravi Kumar Bhagat, Advocates.
For Respondents/State	:	Shri U.N.S. Deo, Government Advocate.

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice**Hon'ble Shri Justice Manindra Mohan Shrivastava****Order on Board****Per Ajay Kumar Tripathi, Chief Justice****20.07.2018**

1. Non grant of permanent caste certificate of Schedule Caste which was prayed for before the Sub Divisional Officer (Revenue), Durg is the core issue behind the present litigation. The Sub Divisional Officer (Revenue), Durg refused to grant the caste certificate on the prayer made on behalf of the Petitioner in absence of clear and decisive evidence to establish that the Petitioner was and has been resident of Chhattisgarh in terms of the presidential notification.
2. There was failure on the part of the Petitioner to produce the necessary

evidence. A local enquiry held also did not throw up any decisive opinion about the place of birth and residence which would entitle the Petitioner to demand and get permanent caste certificate for the benefit of reservation in the State of Chhattisgarh.

3. On similar ground the appeal has also been dismissed by the Additional Collector, Durg. Petitioner now has remedy by way of revision before the Divisional Commissioner.
4. Even though the Petitioner would be invoking revisional jurisdiction before the Commissioner, we are inclined to allow him to bring evidence to establish his case with regard to residence within the territorial jurisdiction of the Chhattisgarh. If those materials are annexed with the revisional application, the same will be considered by the revisional authority and will not take a technical plea of additional document or evidence being brought before the revisional authority.
5. The writ application is disposed off with the above liberty.

Sd/-

(Ajay Kumar Tripathi)
Chief Justice

Sd/-

(Manindra Mohan Shrivastava)
Judge