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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 9424/2018**

PRADYUNN HORA AND ANR.

..... Petitioners

Through Mr Sanjay R Megde, Sr. Adv. with
Mr Pranjal Kishore, Adv.

versus

THE DEPARTMENT OF REVENUE,

GOVERNMENT OF NCT, DELHI AND ANR..... Respondents

Through Mr Anupam Srivastava, ASC for
GNCTD with Ms Shreya Mehta, Adv.
for R-1.
Mr Rakesh Kumar, CGSC for R-2.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **07.09.2018**

C.M. No. 36528/2018 (exemption)

1. Allowed, subject to all just exceptions.
2. Application is disposed of.

W.P.(C) 9424/2018 & C.M. No. 36527/2018 (Interim relief)

3. The Petitioners have filed the present petition, *inter alia*, impugning an order dated 14.08.2018 (hereafter 'the impugned order'), whereby the respective applications of the petitioners (application nos. 90510000413629 and 90510000413601) for issuance of caste certificate have been rejected. The only reason indicated in the impugned order is "REQUIRED PATERNAL SIDE SC CERTIFICATE". The petitioners had applied for SC

certificate on the ground that their mother, Wing Commander Rummy Chowdhury, belongs to a Scheduled Caste. Admittedly, the petitioners' father belongs to a forward caste. The petitioners claim that they are entitled to the SC certificate as they are living with their mother and in the society of her relatives. It is also stated that the parents of the petitioners are divorced and the petitioners are not in contact with their father.

4. Since the petitioners' applications for SC certificate were not being entertained, the petitioners had filed Writ Petition(C) No. 4947/2017, which was disposed of by an order dated 05.07.2018 directing the respondents to consider the aforesaid contentions (as recorded therein) and take a decision. The petitioners were also granted liberty to file an online application in the manner as prescribed. The said order was subsequently modified on 27.07.2018 and petitioners were permitted to file additional documents by an offline mode.

5. It is apparent from the above that the respondents have not considered the contentions as advanced by the petitioners, as there is no reason provided for rejecting their applications. The impugned order is accordingly set aside. The respondents are directed to consider the case set up by the petitioners and take an informed view. The respondents shall communicate the reasoned/speaking order to the petitioners on or before 25.09.2018.

6. The Petition is disposed of. The pending application also stands disposed of.

VIBHU BAKHRU, J

SEPTEMBER 07, 2018

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