

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 968 of 2019**

1. Archana Markam D/o Shri Dular Markam Aged About 26 Years R/o Vivekanand Nagar, Dhan Mandi Ke Pichhe Torwa, Bilaspur, Thana - Torwa, District - Bilaspur Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Sachiv, Aadim Jati Avam Anusuchit Jati Vikas Vibhag, Mantralaya, Raipur Chhattisgarh.
2. Anuvibhagiy Adhikari Rajasva Bilaspur, District - Bilaspur Chhattisgarh.
3. Tahsildar Bilaspur, District - Bilaspur Chhattisgarh.

---- Respondent

For Petitioner

Shri R.K. Patel, Advocate

For Respondent/State

Shri Avinash Singh, Panel Lawyer

Order On Board**By****Prashant Kumar Mishra, J.****18/03/2019**

1. This petition has been filed by the petitioner on the grievance that the respondent authorities are not accepting the application for issuance of caste certificate by insisting that the same should necessarily be accompanied with land records as proof of residence in respect of the period prior to 1950.

2. Learned counsel for the petitioner submits that in view of the order passed by the Division Bench of this Court in **Narendra Dehariya v State of Chhattisgarh & Others** (WPC No.5070/07) and other connected matters and in **Ramsajiwan v State of Chhattisgarh & Others** (WPS No.6616/08), the respondent authorities in the matter of issuance of caste certificate cannot insist on that particular record and they are required to consider entitlement on the basis of other material produced before the authority.
3. Learned State counsel points out that the power to issue permanent caste certificate is with the Sub-Divisional Officer and, as such, prayer that Tahsildar should be directed to issue permanent caste certificate cannot be allowed.
4. Considering the submission of learned counsel for the parties, I am inclined to dispose of the petition giving liberty to the petitioner to move application before the SDO. The SDO shall consider the application of the petitioner and decide the same in accordance with law in the matter of issuance of caste certificate keeping in view the order passed by the Division Bench of this Court including the order passed in **Ramsajiwan** (supra) within a period of three months.
5. Accordingly, the writ petition stands disposed of.

Sd/-

Judge
Prashant Kumar Mishra

Gowri