

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 3115 of 2018**

- Vivek Chandra S/o Late Shri Lakhan Lal Chandra Aged About 30 Years, R/o Civil Line, Ward No.18, Manendragarh, District- Koriya, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Tribal Welfare Department, Mantralaya, Naya Raipur, Raipur, Chhattisgarh.
2. Collector, Koriya, District- Koriya, Chhattisgarh
3. Sub- Divisional Officer (Revenue) Manendragarh, District- Koriya, Chhattisgarh
4. Tahsildar, Manendragarh, District- Koriya, Chhattisgarh

---- Respondent

For Petitioner	Mr. Mateen Siddique, Advocate
For Respondent /State	Mr. Alok Bakshi, Additional Advocate General and Mr. Vikram Dixit, Government Advocate

Order On Board By**Hon'ble Mr. Justice Prashant Kumar Mishra****9/1/2019**

1. Heard.
2. This petition has been filed by the petitioner aggrieved by refusal on the part of respondent authorities to issue permanent caste certificate by insisting the petitioner to produce records as proof of residence in respect of the period of 1950.
3. 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.

4. Learned Additional Advocate General 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.
5. 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 one week provided the petitioner submits the certified copy of this order before the SDO(R) by tomorrow i.e. 10.1.2019.
6. Accordingly, the writ petition stands disposed of.
7. Certified copy today itself.

Sd/-

(Prashant Kumar Mishra)

Judge

Shyna