

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 4158 of 2019

Aij Kumar Raut S/o Janardhan Raut Aged About 52 Years Caste - Mahar,
Resident Of Q.No. F-2, Civil Line P.W.D. Colony, Tahsil Khairagarh,
District Rajnandgaon, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Tribal Welfare, Mahanadi Bhawan, Naya Raipur, Chhattisgarh.
2. The Sub Divisional Officer (Revenue) Khairagarh, District Rajnandgaon Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Love Kumar Ramteke, Advocate
For State	:	Mr. P. Acharya, P.L.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

20.11.2019

1. The relief sought for by the petitioner in the present writ petition is for an appropriate direction to respondent No. 2 to consider grant of permanent caste certificate.
2. According to the petitioner, he has caste certificate in his favour duly issued by the Deputy Collector, Durg way back on 24.08.1995. It is further contended that he was an employee in the undivided State of Madhya Pradesh, thereafter he has been allocated to the State of Chhattisgarh. According to the petitioner, since he has been allocated to the State of Chhattisgarh, he falls within the ambit of **Rule 12 of the Chhattisgarh Scheduled Castes, Scheduled Tribes and other Backward Classes (Regulation of Social Status**

Certification) Rules 2013. Rule 12 of the Rules of 2013 deals with the category of persons who would fall under “involuntary migration”. Under the said Rule, an employee who has been involuntary migrated to the State of Chhattisgarh would be entitled for the benefits of reservation in the State of Chhattisgarh.

3. The petitioner further submits that the concerned authority vide order dated 06.08.2019 had already issued temporary caste certificate, however, thereafter the application for issuance of permanent caste certificate has not been finalized till date.
4. Given the said facts, this Court is of the opinion that ends of justice would meet if the writ petition is disposed of with a direction to respondent No. 02 to immediately process the claim of the petitioner and pass appropriate order keeping in view Rule 12 of the Rules of 2013 referred to in the preceding paragraph.
5. Let respondent No. 2 take an appropriate decision within a period of 60 days from the date of receipt of copy of this order.
6. The present writ petition accordingly stands disposed of.

**Sd/-/
(P. Sam Koshy)
Judge**