

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition (C) No. 4434 of 2019**

Sukhdev Shende S/o Late Arjun Mangal Shende, Aged About 66 Years,  
Caste Mahar, R/o MIG-1, Q. No. 24, Hudko Sector Bhilai, Tah. And  
District Durg, 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), Durg, District Durg, Chhattisgarh

**---- Respondents**


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

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**Hon'ble Shri Justice P. Sam Koshy****Order On Board****05.12.2019**

1. The relief sought by the petitioner in the present writ petition is for an appropriate direction to the respondent No. 2 to consider grant of permanent caste certificate.
2. According to the petitioner, 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 benefit of reservation in the State of Chhattisgarh.

3. Given the 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 process the claim of the petitioner and pass an appropriate order keeping in view Rule 12 of the Rules of 2013 referred to in the preceding paragraph.
4. Let respondent No. 2 take an appropriate decision within a period of 60 days from the date of receipt of copy of this order.
5. The present writ petition accordingly stands disposed of.

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