HIGH COURT OF TRIPURA
AGARTALA

WP(C) No.189 of 2020

Smt. Manipriya Debbarma and another .....Petitioner(s)

Versus

The State of Tripura and others .....Respondent(s)

For Petitioner(s) : Mr. N. Das, Advocate.

For Respondent(s) : Mr. D. Bhattacharya, G.A.,
Mr. G.S. Bhattacharjee, Advocate.

HON'BLE THE CHIEF JUSTICE MR. AKIL KURESHI

O R D E R

04/03/2020

Petitioner has made two prayers. One is for cancellation of nationality memorandum dated 08.07.2004 issued by the Sub-Divisional Magistrate, Sadar, West Tripura in favour of respondent No.7. His further prayer is that the Scheduled Tribe certificate dated 09.07.2004 again issued by the Sub-Divisional Magistrate, Sadar, West Tripura in favour of the said respondent No.7 should also be cancelled.

The petitioner claims to be the wife of the deceased railway servant. She has sought compassionate appointment on the basis of death of her husband. The respondent No.7 claims to be the daughter of the first wife of the deceased. She contends that the deceased never got divorced from her mother and, therefore, could not have remarried with the petitioner. The disputes between these two persons as to who should be given

appointment on compassionate grounds are pending. Pending such issues the petitioner had written to the Sub-Divisional Magistrate for cancellation of the said two certificates on the ground that they have been obtained by making false claims.

Insofar as the nationality certificate is concerned, the petitioner had applied to the SDM under letter dated 09.08.2018. His representation is pending which may be disposed of by the said authority. About the petitioner's allegations, I make absolutely no observations. So far as the cancellation of the caste certificate is concerned, the same can be done only as provided by the Supreme Court in case of ***Kumari Madhuri Patil and another versus Addl. Commissioner, Tribal Development and others*** reported in ***(1994) 6 SCC 241*** and the relevant statutory rules for which purpose the petitioner must approach the correct authority.

With these observations and directions the petition is disposed of.

Pending application(s), if any, also stands disposed of.

(AKIL KURESHI), CJ

Dipesh