

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (C) NO. 562 OF 2020**

Rajesh Gajbhiye, S/o Budhram Gajbhiye, aged about 43 years, Caste- Mahar, R/o Ward No.2, Danteshawari Para, Indira Ward, Dongargarh, Tahsil Dongargarh, District Rajnandgaon (CG)

... Petitioner

versus

1. State of Chhattisgarh, through: its Secretary, Department of Tribal Welfare, Mahanadi Bhawan, Nawa Raipur, District Raipur (CG)
2. The Sub Divisional Officer (Revenue), Dongargarh, District Rajnandgaon (CG)

... Respondents

For Petitioner	:	Mr. Love Kumar Ramteke, Advocate.
For Respondents	:	Ms. Sunita Jain, Govt. Advocate and Mr. P. Acharya, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

07/02/2020

1. The present writ petition has been filed seeking for an appropriate direction to respondent no.2 for issuance of appropriate caste certificate in favour of the petitioner.
2. According to the petitioner, he belongs to Schedule Caste category and the caste which he belongs to is "Mahar". He had moved an application before respondent no.2 who in turn has asked him to provide relevant documents to establish his caste status. Contention of the petitioner is that he is originally a resident of District Rajnandgaon, which presently falls in Chhattisgarh and the said place was within the unified Madhya Pradesh as it then was prior to 1.11.2000.
3. The petitioner refers to the order of the State of Chhattisgarh, General Administration Department, dated 15.11.2010, whereby the State Government as a policy decision had held that all those persons who falls within the Scheduled Caste & Scheduled Tribe category who were earlier residents of the erstwhile State of Madhya Pradesh before the formation of the State of Chhattisgarh and who had shifted to the Chhattisgarh region before the State was created would be entitled for issuance of caste certificate and benefits of the concerned category as it was being provided in the erstwhile State of Madhya Pradesh. According to the petitioner, his case also is one which squarely falls in terms of the order dated 15.11.2010 and his caste also is one which is reflected in the said order of the State Government.

4. Given the said facts, respondent no.2 is expected to take a decision on the claim of the petitioner for grant of a caste certificate in accordance with the said circular and also as per the provisions of *The Chhattisgarh Scheduled Castes, Scheduled Tribes and Other Backward Classes (Regulation of Social Status Certification) Act, 2013*. The decision would be subject to verification of the documents which the petitioner so provides and all other records to establish the fact that the petitioner belongs to “Mahar” community.

5. The writ petition accordingly stands disposed of with the aforesaid observation.

Sd/-
(P. Sam Koshy)
Judge

/sharad/