

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (C) No. 2298 of 2020

Ku. Namrata (Minor) Through Her Father Narayan Singh S/o Kanak Singh
Aged About 55 Years R/o - Village - Gidhori, Post- Dadarkala, Thana -
Urga, Tehsil - Kartala, District - Korba (Chhattisgarh).

---Petitioner(s)

Versus

1. State of Chhattisgarh Through Secretary, Tribal Welfare Department, Mantralaya, Naya Raipur, Raipur (Chhattisgarh).
2. Collector Korba, District Korba (Chhattisgarh).
3. Sub-Divisional Officer (Revenue) Korba, District - Korba (Chhattisgarh).
4. Lok Seva Kendra Through Its Sub Divisional Officer Revenue, Dipka, District – Korba.

---Respondents

For Petitioner	:	Shri Faisal Akhtar, Advocate.
For State	:	Shri Sudeep Verma, Dy. Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

08.10.2020

1. The grievance of the petitioner in the present writ petition is the oral denial of the issuance of caste certificate of the petitioner by the respondent No.4 for want of documents, particularly documents prior to 1950 for establishing the caste status of the petitioner.
2. According to the State counsel, since there is only an allegation of an oral refusal, no specific direction as such can be granted to the authorities nor can a writ be issued. Let the petitioner approach before the authorities by moving an appropriate dully filled application with all requisite informations, the same shall be considered in accordance with law at the earliest.
3. Given the said submission by the counsel for the parties, particularly the State counsel, this court is of the opinion that the writ petition can be disposed of directing the petitioner to approach the respondent No.3 or

any other officer who is duly authorized for issuance of the caste certificate by submitting an application dully filled along with all requisite informations available with the petitioner. It is made clear that, the State Govt. has itself enacted a rule in this regard which is known as Chhattisgarh Scheduled Caste, Scheduled Tribe and Other Backward Classes (Regulation of Social Status Certification) Rules, 2013 (in short, the Rules, 2013). The said Rule specifically lays down the procedure to be adopted by the authorities while considering and allowing an application for issuance of caste certificate in accordance with law.

4. The respondent authorities is expected to take a decision in accordance with Rules, 2013, at the earliest preferably within a period of four months from the date of receipt of the application by the petitioner.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge