

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2645 of 2020

- Saheb Rao Patil S/o Fakira Patil Aged About 56 Years Caste- Mahar, R/o Village And Post Achholi, Tahsil Dongargarh, District Rajnandgaon, Chhattisgarh.

---- Petitioner

Versus

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

---- Respondents

For Petitioner	:	Shri Love Kumar Ramteke, Advocate
For State	:	Shri Gagan Tiwari, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

18.11.2020

Heard

1. The instant petition is filed for the following reliefs:-

10.1 That, this Hon'ble Court may kindly be pleased to call the entire records from the respondents.

10.2 That, this Hon'ble Court may kindly issue a writ in the nature of Mandamus directing the respondent authority to issue Caste Certificate to the Petitioner.

10.3 That, the Hon'ble Court may kindly be pleased to direct the respondents by issuing the writ in the nature of mandamus to provide a permanent caste certificate of Schedule Caste to the petitioner on prescribed period granted under C.G. Lok Sewa Gurantee Act, 2011.

10.4 That, this Hon'ble Court may kindly be pleased to grant any other relief or pass such other and further orders as may be deemed fit and proper in the facts and circumstances of the present case in the interest of justice.

2. Learned counsel for the petitioner would submit that Respondent No. 2 is

demanding certain documents which are not necessary to issue the Caste Certificate. Therefore, unnecessary documents are called for consequently, the caste certificate of the petitioner is not issued. He prays that direction may be issued to Respondent No. 2 to issue the caste certificate. It is further contended that Patwari is not giving the family tree and Patwari report and the pleading to this fact also exists.

3. Perusal of petition would show that in the array of respondents Patwari is not added as party and when the query is raised as to why the Patwari is not a party against whom allegations are made, learned counsel for the petitioner submits that he is not a necessary party.
4. In view of such submission and considering the pleading & cause as pleaded at para 8.8 of this petition, no relief can be granted to the petitioner.
5. Accordingly, the petition is liable to be and is hereby dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Jyoti