

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No.4725 of 2019

Ankit Kumar Madame S/o late Heerakant Madame, aged about 26 years, Caste Mahar, Resident of Q. No.7A Street No.5, Sector-1 Bhilai, Tehsil and District Durg.

---Petitioner(s)

Versus

1. State of Chhattisgarh Through Its Secretary, Department Of Tribal Welfare, Mahanadi Bhawan, Atal Nagar, Naya Raipur, Chhattisgarh.
2. The Sub Divisional Officer (Revenue), Durg, District Durg Chhattisgarh.

---Respondents

For Petitioner	:	Shri Love Kumar Ramteke, Advocate.
For State	:	Ms. Abhyunnati Singh, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

02.01.2020

1. The present writ petition has been filed seeking an appropriate direction to the 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 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 Balaghat, which presently falls in Madhya Pradesh and the said place was within the unified Madhya Pradesh as it then was prior to 01.11.2000.
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. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder