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16.03.2021.
d.p.

**W.P.A 25518 of 2018
(Via Video Conference)**

**Adip Mandal
-versus
The State of West Bengal & Ors.**

**Mr. Dhiraj Kumar Trivedi,
Mr. Ravi Ranjan Kumar,
Mr. S. Sharma.**

...For the Petitioner.

**Mr. T.M. Siddique,
Mr. Nilotpal Chatterjee.**

...For the State.

The petitioner is aggrieved by the action on the part of the respondent authorities in cancelling his Scheduled Castes Certificate issued in his favour by the Sub-Divisional Officer, Purulia on 16th June, 2006 being Certificate No. 328(W)4/B.C.W.P.

According to the petitioner, no formal order of cancellation of the said certificate was ever handed over to him. No opportunity of hearing was also given to the petitioner prior to the alleged cancellation of the said Scheduled Castes Certificate.

The petitioner submits that from the report of the District Magistrate, Purulia dated 20th February, 2020 filed in compliance of the solemn order of the Court dated 18th February, 2020 he came to learn about the cancellation of the said certificate. The District Magistrate, Purulia in the report has indicated that since the genuineness and/or correctness of the Caste Certificate was in question, the Enquiry Team

submitted a report before the Sub-Divisional Officer, Jhalda who subsequently initiated proceeding for cancellation of the Scheduled Caste Certificate of the petitioner on 24th August, 2018.

The petitioner has categorically submitted that no opportunity of hearing was given to him prior to initiation of proceeding or during the proceeding for cancellation of his Scheduled Caste Certificate.

The learned advocate appearing for the State respondents submits that the petitioner was duly given an opportunity of hearing prior to passing the order of cancellation of his Scheduled Caste Certificate. However, nothing appears from record that the petitioner participated in the enquiry relating to cancellation of his Scheduled Caste Certificate.

In view of the above, the writ petition is disposed of by directing the Sub-Divisional Officer, Jhalda being the Competent Authority to grant an opportunity to the petitioner for production of all relevant documents in support of his stand that he belongs to the Scheduled Caste category. The said respondent upon consideration of all documents shall pass a reasoned order and communicate the same to the petitioner immediately thereafter.

The entire exercise shall be concluded by the aforesaid respondent within a period of eight weeks from the date of communication of a copy of this order.

WPA 25518 of 2018 stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)