

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 313 of 2021**

- Prakash Kawre S/o Shri Kawre Yama Aged About 45 Years R/o- Village Gangaloor, Tahsil Bijapur, District Bijapur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Department Of Revenue, Mantralaya, Mahanadi Bhawan, Naya Raipur, Raipur, Chhattisgarh
2. Sub Divisional Officer (Revenue) Bijapur, District- Bijapur, Chhattisgarh
3. Tehsildar Bijapur, District Bijapur, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Harshmander Rastogi, Advocate
For Respondent	:	Ms. Abhiyunati Singh, P.L.

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****28.01.2021**

Heard.

1. Learned counsel for the petitioner would submit that the petitioner has made an application for issuance of caste certificate to the SDO and despite the direction was given by the C.G. State Scheduled Caste Commission dated 19.05.2015, till date the caste certificate in respect of the petitioner has not been issued.
2. Learned counsel for the petitioner submits that in view of the order passed by the Division Bench of this Court in Narendra Dehariya v State of Chhattisgarh & Others (WPC No.5070/07) and other connected matters and in Ramsajiwan v State of Chhattisgarh & Others (WPS No.6616/08), the respondent authorities in the matter of issuance of caste certificate cannot

insist on that particular record and they are required to consider entitlement on the basis of other material produced before the authority. He further submits that Co-ordinate Bench of this Court has passed order in WPC No. 3115 of 2018 (Annexure P-1) on 09.01.2019 and case of the petitioner is similar.

3. Learned State Counsel do not dispute the fact that the similar issue raised in this case has been decided by the Co-ordinate Bench of this Court in WPC No. 3115 of 2018.
4. Considering the submission of learned counsel for the parties, I am inclined to dispose of the petition giving liberty to the petitioner to move application before the SDO. The SDO shall consider the application of the petitioner in pursuant to the direction given in the letter dated 19.05.2015.
5. After verification of the same, the SDO shall consider and decide the same in accordance with the law in the matter of issuance of caste certificate keeping in view the order passed by the Division Bench of this Court including the order passed in Ramsajiwan (supra) within a period of 45 days from the date of receipt of a copy of this order.
6. With the above direction/observation, this writ petition stands disposed of.

Sd/-
(Goutam Bhaduri)
Judge