

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7396 of 2022

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Akhil Bhartiya Dusadh Utthan Parishad, Non Governmental Organization, registered under Societies Registration Act, having its office at Arvind Bhavan, Ambedkar Nagar, Lathigram Ghorghat, Munger- 811211 through its State President Basuki Paswan (male), aged about 68 years, Son of Arvind Paswan, Resident of Arvind Bhavan, Ambedkar Nagar, Lathigram, P.O.- Ghorghat, P.S.- Bariarpur, Munger- 811211. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of SC and ST Welfare Department, Bihar, Patna.
2. The Principal Secretary, Department of SC and ST Welfare Department, Old Secretariate, Rajbansi Nagar, Patna, Bihar.
3. The District Magistrate cum District Collector, Khagaria, Bihar.
4. The Sub-Divisional Officer, Gogari, District- Khagaria, Bihar.
5. The Circle Officer, Anchal- Parbatta, District- Khagaria, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prince Kumar Mishra, Advocate
For the Respondent/s : Mr.Prashant Pratap (Gp2)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Date : 24-06-2022

Heard learned counsel for the parties.

Petitioner has prayed for following relief:-

“(a) For issuance of writ in the nature of mandamus , directing and commanding upon the respondent authorities to grant Schedule Caste certificate of Dusadh Caste to Resident of village - Kajialvan, Anchal-Parbatta, District- Khagaria, which has been stopped since 2013 by the circle officer, Parbatta, District- Khagaria, Bihar.

(B) For holding and declaring that non-

issuance of Dusadh Caste certificate to the resident of Village - Kajjalvan, Anchal- Parbatta, District- Bihar, which has been stopped since 2013 by the Circle Officer, Parbatta is unjust and arbitrary as same Dusadh caste certificate is being issued to the members of same community/caste in the nearby village- Mojahidda, which falls within same Block- Parbatta

(c) For any other relief or reliefs for which the petitioners are found entitled in the facts and circumstances of the case.”

After the matter was heard for some time, finding the Court not to be in favour with the submissions made by the learned counsel for the petitioner, learned counsel for the petitioner, under instructions, states that the petitioner will be content if the petitioner is permitted to withdraw the present petition, with liberty to approach the Caste Scrutiny Committee constituted by the State of Bihar.

Prayer allowed.

It stands clarified that all issues of fact and law are left open to be agitated before the said committee.

Liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

The petition is disposed of as withdrawn with the liberty aforesaid.

Interlocutory application(s), if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA