

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.15929 of 2022

(Through Hybrid mode)

K.Gurunath Rao

....

Petitioner

Mr. Saroj Kumar Padhi, Advocate

-Versus-

Sate of Odisha and others

....

Opposite Parties

Mr. A. K. Nanda, Addl. Govt. Advocate

CORAM: JUSTICE ARINDAM SINHA

ORDER

14.12.2022

Order No.

- 02.
1. Mr. Padhi, learned advocate appears on behalf of petitioner and submits, impugned is order dated 22nd June, 2021, whereby the Collector rejected his client's application for issuance of caste certificate. He submits, his client's father had obtained caste certificate and hence, impugned order rejecting his client's application requires interference.
 2. Mr. Nanda, learned advocate, Additional Government Advocate appears on behalf of State and submits, by referred to in impugned order, judgment of the Supreme Court in **State of Maharashtra v. Milind**, reported in **AIR 2001 SC 393** declared the law regarding entries in the Constitution (Scheduled Castes) Order, 1950. Petitioner claims to belong to caste 'SETI BALAJI'. His contention is, his caste is synonymous with caste 'IRIKA' mentioned in the Presidential Order.

3. Controversy before this Court is between petitioner and the Administrative Officer regarding refusal to issue caste certificate. The refusal is based on judgment-law declared by the Supreme Court on caste certificate to be issued to only those persons belonging to any of the castes mentioned in the Presidential Order. Hence, caste 'SETI BALAJI' contended to be synonymous to mentioned-caste 'IRIKA' was a contention rejected by the officer. As such, there is no reason to interfere.

4. The writ petition is without merit and stands dismissed.

(Arindam Sinha)
Judge



RKS