

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.24104 of 2022
(Through Hybrid mode)

Baijanti Malik

....

Petitioner

Mr. Anirudha Das, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. A. K. Nanda, AGA

CORAM: JUSTICE ARINDAM SINHA

ORDER
02.11.2022

Order No.

01. 1. Mr. Das, learned advocate appears on behalf of petitioner and submits, his client's caste certificate was purported to be cancelled by impugned order dated 29th August, 2022 made by the Additional Tahasildar. He relies on section 7 in Odisha Scheduled Caste, Scheduled Tribe and Backward Classes (Regulation of issuance and verification of Caste Certificate) Act, 2011 to submit, only the Scrutiny Committee can cancel caste certificate. He relies on view of coordinate Bench by **Judgment dated 20th May, 2022 in W.P.(C) no.3373 of 2022 (Namita Sagaria vs. State of Odisha and others)** saying that the Act makes it clear, only Scrutiny Committee

constituted under it has been empowered to verify genuineness of caste certificate.

2. Mr. Nanda, learned advocate, Additional Government Advocate appears on behalf of State.

3. Clear jurisdictional error committed by the Tahasildar is apparent. Said office could not have cancelled the caste certificate. As such, impugned order is set aside and quashed.

4. The writ petition is allowed and disposed of.

(Arindam Sinha)
Judge

Prasant

