

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16795 of 2024

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Bihar Kewani Jati Vikas Samiti through its State President Anup Kumar, Male
aged about 32 Years, S/o Bandhu Mehta, Resident of Village-Purani Munsfi,
Nala Par, Mahua Shahid, P.S - Aurangabad, District - Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna,
Bihar.
2. The Chairman State Commission For Backward Classes, Bihar, Patna.
3. The Principal Secretary, BC and EBC Welfare Department, Government of
Bihar, Patna.
4. The Principal Secretary, General Administration Department, Government
of Bihar, Patna.
5. The Chairman, State Election Commission, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Diwakar, Advocate Mr. Deepak Kr. Advocate Ms. Priya Kumari, Advocate
For the Respondent/s	:	Mr. P.K. Shahi, Advocate General

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 22-11-2024 The writ petition is filed seeking inclusion of

Kewani caste in the list of Extremely Backward Classes for

which various representations have been given to the State as

per Annexure-P/1 and P/2.

2. Inclusion of a particular caste under Extremely

Backward Classes is a policy matter of the State Government,

which also depends upon various factors, which will have to be

examined by the State Government and if necessary after



obtaining the opinion of State Commission for Backward Classes. The said action cannot be precipitated by judicial order and we find absolutely no reason to entertain the writ petition which will stand dismissed, but however making it clear that the dismissal of the writ petition is only by reason of our refusal to exercise the discretionary jurisdiction under Article 226 of the Constitution of India which would not impede a decision by the State Government, which is within its domain.

3. The writ petition stands dismissed with the above reservation.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Anushka/-

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