

06
21.11.2024
Ct. 14
AGM

**In The High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 3314 of 2024

**Sagar Mondal
-versus
The State of West Bengal & Ors.**

**Mr. Debajyoti Deb.
Ms. Somdyuti Parekh.
...For the Petitioner.**

**Mr. Malay Kumar Singh.
Mr. Tapas Kumar Mondal.
... For the State.**

1. None appears on behalf of the private respondents. Affidavit-of-service filed in Court today be kept with the records.
2. The petitioner seeks cancellation of the Scheduled Caste Certificate issued in favour for the respondent nos. 6 and 7 as the same was obtained by practicing fraud and misrepresentation.
3. From the instruction forwarded by the Sub Divisional Officer, Canning, South 24 Parganas dated 22nd February, 2024, it appears that the allegation made by the petitioner is proper.
4. A proceeding was initiated by the Sub Divisional Officer and hearing was given to the private parties, who were present in the hearing. On conclusion of the hearing, it has been held that the certificates were obtained by misrepresentation of facts. The certificates have been cancelled. Upon receiving the original Scheduled Caste Certificates and before revocation, cancellation and impounding of the two

Scheduled Caste Certificates the matter will be sent to the District Magistrate, South 24 Parganas with a request to place it before the District Vigilance Cell.

5. As it appears from the instruction forwarded by the Sub Divisional Officer that the Caste Certificates complained of were indeed obtained upon misrepresentation of facts and the same has been cancelled, accordingly, any benefit obtained by the private respondents relying upon the said certificate cannot be allowed to stand.
6. The Sub Divisional Officer, Canning is directed to ascertain as to whether the private respondents obtained any benefit relying upon such certificates and if it is found that the certificates were used to obtain benefit(s), then the said benefit(s) shall be immediately withdrawn.
7. Instruction forwarded by the SDO, Canning, South 24 Parganas be retained with the records.
8. The writ petition stands **disposed of**.
9. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)