



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CWP-13344-2019 (O&M)
Date of decision: 16.09.2024

Sujata

...Petitioner

VERSUS

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Ashok Bhardwaj, Advocate for the petitioner.

Mr. Pankaj Mulwani, DAG Haryana.

Respondent No.5 stands ex-parte.

VINOD S. BHARDWAJ, J. (Oral)

1. Challenge in the present petition is to the order dated 03.04.2019 passed by respondent No.4-Tehsildar, Tehsil Nangal Chaudhary, District Mahendergarh whereby the request of the petitioner for issuance of Other Backward Classes (OBC) certificate has been declined on the ground that as per the instructions of the Government of India dated 08.04.1994, once a girl is married in any other State, the Caste certificate is required to be issued by the said State where she is married. Since the petitioner is married in Rajasthan, hence, the requisite certificate could be issued only by the State of Rajasthan.

2. Learned counsel appearing on behalf of the petitioner contends that the Government of Haryana has thereafter issued instructions vide instruction No.22/132/2013-1GS-III dated 22.03.2022 regarding the issuance of Caste Certificate. As per the said instructions, the person who is resident



of the State by birth can claim for issuance of such a Caste certificate notwithstanding the migration of the person to any other State on account of any intervening circumstance.

3. Issuance of aforesaid instructions is not disputed by the learned State counsel.
4. Accordingly, the present writ petition is **disposed of** with a liberty to the petitioner to move an appropriate application for issuance of Caste certificate in terms of the aforesaid instructions dated 22.03.2022. In the event of submission of any such application, the competent authority i.e. Tehsildar, Tehsil Nangal Chaudhary, District Mahendergarh, shall take an appropriate decision in terms of the instructions issued by the Government of Haryana from time to time.
5. Let the decision be taken within a period of 04 weeks of submission of such an application by the petitioner.

16.09.2024
Mangal Singh

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

(VINOD S. BHARDWAJ)
JUDGE