

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18555 of 2025

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Rajeev Kumar Son of Shiv Chandra Ram, resident of Village Bhuskaul Serha,
P.O.-Harpur Pusa, P.S.-Pusa, District-Samastipur, Bihar.

... .. Petitioner/s

Versus

1. The Union of India through Secretary, Ministry of Social Justice and Empowerment, Govt. of India, New Delhi.
2. The Under Secretary, Ministry of Social Justice and Empowerment, Govt. of India, New Delhi.
3. The Director, Ministry of Social Justice and Empowerment, Govt. of India, New Delhi.
4. The National Commission for Schedule Caste through its Secretary, Fifth Floor, Lok Nayak Bhawan, Khan Market, New Delhi-110003.
5. The State of Bihar through its Chief Secretary, Govt. of Bihar, Patna.
6. The Chief Secretary, Govt. of Bihar, Patna.
7. The Principal Secretary, Department of Schedule Caste and Schedule Tribe Welfare, Patna.
8. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
9. The Joint Secretary, General Administration Department, Government of Bihar, Patna.
10. The Bihar State Schedule Caste Commission Patna through its Secretary, Veerchand Patel Marg, Area, Patna.
11. The Bihar State Extremely Backward Commission Patna through its Secretary, Near Sachivalaya Halt Railway Station, Patna.
12. The Additional Secretary, General Administration Department, Government of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Vikash Kumar Pankaj, Advocate
For the UOI	:	Mr. Sujeet Kumar Sinha, CGC
For the State	:	Mr. Vikas Kumar, Advocate

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

2 28-11-2025

Heard learned counsel for the parties.



2. Following reliefs are sought for in the present writ application:

“a. To issue writ in nature of writ of mandamus or any writ order direction declaring & holding the Resolution vide Memo No. 6455 dated 16.05.2014 issued by the State Government and signed by the Respondent no. 9 (Annexure- P/6) as illegal and bad in the eyes of law. By the said Resolution vide Memo No. 6455 dated 16.05.2014 (Annexure- P/6) the State Government without jurisdiction has removed the Caste *Khatwe* from the list of Extremely Backward Classes in the State list of Bihar and declared it synonymous with Scheduled Caste of *Chaupal* listed at Sl. No. 07 of the list of Scheduled Caste in the State of Bihar as mentioned in the Scheduled Caste and Scheduled tribe Orders (Amendment Act), 2002.

b. To issue consequential writ in nature of writ of Certiorari to set aside Resolution No. 6455 dated 16.05.2014 (Annexure-P/6) Resolution whereby, the State Government without jurisdiction has removed the Caste *Khatwe* from the list of Extremely Backward Classes in the State list of Bihar and declared it synonymous with Scheduled Caste of *Chaupal* listed at Sl. No. 07 of the list of Scheduled Caste in the State of Bihar as mentioned in the Scheduled Caste and Scheduled tribe Orders (Amendment Act), 2002.

c. To issue consequential writ in nature of writ of Certiorari to set aside letter no 13623 dated 10.09.2015 (Annexure-P/7) issued by General



Administrative Department to the extent whereby the Extremely Backward Classes Caste *Khatwe* was deleted and at the same time caste *Khatwe* was notified as caste *Chaupal* at serial no 7 in the list of Scheduled Caste of Bihar.

d. To issue consequential writ in nature of writ of mandamus or any writ order direction to immediately cancel & withdraw the benefits of schedule caste granted to the members of the *Khatwe* Caste in pursuant to illegal Resolution vide Memo No. 6455 dated 16.05.2014 (Annexure- P/6) and letter no 13623 dated 10.09.2015 (Annexure- P/7) in education, government employment/service, criminal prosecution, *panchayat* elections, urban bodies & municipality elections. Legislative Assembly elections and Parliament elections and restore such benefits to the originally deserving members of the schedule castes in Bihar.

e. To issue writ in nature of writ of mandamus or any writ order to stay the operation of Resolution vide Memo No. 6455 dated 16.05.2014 issued by the State Government without jurisdiction, during the pendency of the present Public Interest Litigation.”

3. From perusal of the record, it appears that the G.A.D.,Bihar Resolution dated 16.05.2014, which is under challenge, was issued 11 years ago and has not been challenged during this entire period.

4. In view of the long and unexplained delay, we do



not find it appropriate to interfere with the said resolution, particularly as the petitioner has approached this Court after a period of 11 years.

5. Accordingly, the present writ application stands dismissed.

6. Pending application(s), if any, shall also stand disposed of.

(Sudhir Singh, ACJ)

(Rajesh Kumar Verma, J)

Sujit/-

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