

10.07.2025.
09
Ct.No.7.
as

WPA 21038 of 2021

Pankaj Mahata
Vs.
The State of West Bengal & Ors.

Mr. Sajal Kanti Bhattacharyya.
...for the Petitioner.

Mr. Asish Guha,
Mr. Joyak Kr. Gupta.
...for the State.

1. The present writ petition has been preferred assailing the legality and validity of the non-speaking order whereby the petitioner's prayer for grant of a caste certificate has been rejected without assigning any reasons. In addition, the petitioner seeks the issuance of an appropriate writ, more particularly a writ in the nature of mandamus, directing the concerned respondents to refer his application to the duly constituted Screening Committee for examination and determination of his entitlement to the said certificate. The petitioner further prays for a direction upon the respondents to issue a Scheduled Tribe Certificate in his favour, upon due consideration of his claim

2. Mr. Bhattacharyya, learned Advocate appearing on behalf of the petitioner, submits that the petitioner belongs to a Scheduled Tribe community, and acknowledging this fact, caste certificates have already been issued in favour of his father, grandfather, and other members of his family.

Pursuant thereto, the petitioner applied for the issuance of a Scheduled Tribe certificate in his own favour, for which an acknowledgment receipt was duly issued.

3. However, the petitioner subsequently ascertained, upon perusal of the official website of the respondent authorities, that his application had been marked as 'Rejected'. Notably, no formal order conveying such rejection was ever served upon the petitioner, nor was any reason for the same disclosed or communicated to him.

4. He further submits that the petitioner has obtained a document indicating that, pursuant to a complaint made by a local MLA, Shri Bacchu Hansda, the issuance of Scheduled Tribe certificates to individuals bearing the surname 'Mahata' has been kept in abeyance in two Subdivisions of Dakshin Dinajpur District, pending a decision from the appropriate Government authority. In such conspectus, Mr. Bhattacharyya prays for a direction upon the concerned respondents either to issue the caste certificate in favour of the petitioner or, in the alternative, to furnish a reasoned order whereby the petitioner's application for grant of such certificate was rejected.

5. Mr. Guha, learned Advocate appearing for the State, in his usual fairness, submits that the status of the application, as reflected on the official website, is marked as 'rejected'. However, he acknowledges that no reasoned order has yet been communicated to the petitioner. He further submits that, if this Hon'ble Court directs Respondent No. 4 to

communicate the reasoned order to the petitioner, the same will be duly communicated to the petitioner without delay.

6. Heard the learned Advocates appearing for the respective parties and perused the materials on record.

7. Admittedly, the petitioner submitted an application for the grant of a Scheduled Tribe certificate in his favor, accompanied by supporting documents. It is also acknowledged that, although the petitioner's application is marked as 'Rejected' on the official website of the respondents, no reasoned order refusing the grant of the Scheduled Tribe certificate has been communicated to the petitioner. Moreover, it remains unclear whether the Screening Committee has considered and determined the petitioner's eligibility for the certificate.

8. It is a settled principle that every individual whose application is rejected by the competent authority is entitled to be informed of the grounds for such rejection. Failure to communicate the reasons for rejection to the petitioner would constitute a violation of the principles of natural justice.

9. Therefore, based on this settled proposition of law and taking note of the fact that no reasoned order has been communicated to the petitioner, the present writ petition is disposed of, directing the respondent No. 4 is to either reconsider the petitioner's application for the grant of the Scheduled Tribe certificate in accordance with law or, if the application has already been rejected, to communicate the reasons for such rejection to the petitioner. The entire

process shall be completed within a period of eight weeks from the date of communication of this order.

10. With this observation, the writ petition is disposed of.

11. Since the writ petition has been disposed of without calling for any affidavit from the respondents, the allegations made in the present writ petition shall be deemed not admitted by the respondents.

12. There will be no order as to costs.

(Partha Sarathi Chatterjee, J.)