CGHC010246962025 2026:CGHC:45536

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 3099 of 2025

1 - Mohammad Riyaz S/o Shri Mohd. Zeharuddin Aged About 47 Years R/o Ward No. 29, Dr. Bhimrao Ambedkar Ward Nagar Nigam Birgaon Raipur Teh. And District - Raipur (C.G.)

... Petitioner

RAVVA UTTEJ KUMAR RAJU Digitally signed by RAVVA UTTEJ KUMAR RAJU Date: 15.10.2026 17:51:32 +0530

Versus

1 - State of Chhattisgarh Through Its Secretary, Department Of Backward Classes And Minorities Development Mahanadi Bhawan, Mantralaya, Atal Nagar, Raipur (C.G.)

2 - Commissioner (Revenue) Division Raipur Raipur (C.G.)

3 - Additional Collector (Appellate Authority) Raipur District - Raipur (C.G.)

4 - Sub Divisional Officer (Revenue) Raipur, District - Raipur (C.G.)

5 - Domesh Dewangan S/o Shri Ramkhilawan Dewangam Aged About 37 Years R/o Ward No. 29, Dr Bhimrao Ambedkar Ward Nagar Nigam Birgaon District - Raipur (C.G.)

... Respondents

(Cause title is downloaded from CIS Periphery.)

For Petitioner	:	Mr. Mateen Siddiqui, Sr. Advocate appears along with Ms. Apoorva Pandey, Mr. Shubhanshu Naidu and Ms. Yogita Naik, Advocates.
For State	:	Mr. Akhilesh Kumar, G.A.

Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

28.10.2026

1. The petitioner has filed the instant petition for following reliefs:-

> "10.1 This Hon'ble Court may kindly be pleased to quash the impugned order dated 15.05.2025 (Annexure P/1) passed by the respondent Collector/Additional Collector;
>
> 10.2 That this Hon'ble Court may kindly be pleased to quash the impugned order dated 08.01.2025 (Annexure P/2) passed by the respondent SDO (R) Raipur (C.G.);
>
> 10.3 That this Hon'ble Court may kindly be pleased to direct the respondent SDO (R), Raipur (C.G.) to issue "Permanent Caste Certificate of OBC/non-creamy layer" of "Monin-Julaha-caste", in favour of the petitioner on the basis of available documents.
>
> 10.4 Any other relief or reliefs that may be deemed fit and proper in the facts and circumstances of the case may kindly be granted."

2. The brief facts of the case is that the petitioner is a permanent resident of the State of Chhattisgarh and belongs to the "Momin Julaha" caste, which is recognized as an Other Backward Class (OBC) in the State and is enumerated at Serial No. 87(17) of the Gazette Notification dated 02.04.1997. Upon preliminary enquiry, the Nayab Tehsildar, Dharsiwa, District Raipur, issued a temporary OBC/non-creamy layer caste certificate in favour of the petitioner. Thereafter, the petitioner applied for issuance of a permanent caste certificate before the Sub-Divisional Officer (Revenue), Raipur, on 13.11.2021. However, his application was rejected vide order dated 08.01.2024 (Annexure P/2) on the ground that records pertaining to the year 1984 had not been submitted through online mode, allegedly without conducting the requisite enquiry under the

Chhattisgarh Scheduled Caste, Scheduled Tribe and Other Backward Classes (Regulation of Social Status) Rules, 2013, or assigning cogent reasons. The petitioner preferred an appeal under Section 5 of the Act of 2013, which remained pending. Subsequently, this Court, vide order dated 05.02.2025 passed in WPC No. 725/2025, directed the respondent Commissioner to decide the petitioner's appeal first and thereafter consider the complaint filed against him under Section 19 of the Municipal Corporation Act, 1956. However, the Commissioner, vide order dated 19.03.2025, closed the appellate proceedings on the ground that he was not competent to entertain the appeal and granted liberty to the petitioner to approach the competent appellate authority. Accordingly, the petitioner preferred an appeal before the Collector/Additional Collector, which was dismissed vide order dated 15.05.2025 (Annexure P/1), affirming the order dated 08.01.2024. Being aggrieved by both orders, the petitioner has filed the present writ petition, contending that the authorities failed to conduct the requisite enquiry under Rules 7 and 8 of the Rules of 2013 and that his application for a permanent caste certificate could not have been rejected solely for non-submission of records pertaining to the year 1984, without considering other permissible means of establishing his social status.

3. Learned counsel for the petitioner submits that the application for issuance of a caste certificate was rejected by the Sub-Divisional Officer (Revenue), Raipur, District Raipur (C.G.), without assigning

any cogent reasons and without passing a reasoned order in the prescribed order sheet. It is contended that the rejection was communicated only through the online portal, indicating that the petitioner had failed to furnish documents relating to his great-grandfather, grandfather or father of the petitioner pertaining to the period prior to the year 1984. Learned counsel further submits that the petitioner was not afforded any opportunity to produce the requisite documents, despite being in possession of such documents, and that the appellate authority, namely, the Additional Collector, Raipur, also failed to consider this aspect and mechanically dismissed the appeal on the ground that the petitioner had not produced documents pertaining to the period prior to 1984 in respect of his great-grandfather, grandfather and father.

4. Learned counsel for the State submits that the petitioner was required to furnish the relevant documents in support of his claim for issuance of a permanent caste certificate in accordance with the applicable provisions of the Chhattisgarh Scheduled Caste, Scheduled Tribe and Other Backward Classes (Regulation of Social Status) Rules, 2013. It is contended that, in the absence of the requisite documentary evidence establishing the petitioner’s social status, the competent authority rejected the application, and the said decision was subsequently affirmed by the appellate authority. Learned counsel, therefore, submits that the impugned orders suffer from no illegality or infirmity warranting interference

by this Court in exercise of its writ jurisdiction. Accordingly, the writ petition, being devoid of merit, deserves to be dismissed.

5. Heard learned counsel for the parties and perused the material available on record.

6. Having considered the submissions made by learned counsel for the parties and the factual matrix of the case, this Court deems it appropriate to remand the matter to the Sub-Divisional Officer (Revenue), Raipur (C.G.), for fresh consideration. The petitioner is directed to submit an appropriate application along with all relevant documents within a period of 30 days from today. The petitioner shall also be at liberty to furnish an inability certificate in terms of Rule 6 of the Chhattisgarh Scheduled Caste, Scheduled Tribe and Other Backward Classes (Regulation of Social Status) Rules, 2013. Upon receipt of the application along with the relevant documents, the Sub-Divisional Officer (Revenue), Raipur (C.G.), shall afford due opportunity of hearing to the petitioner, consider the claim afresh and pass an appropriate reasoned order in accordance with law within a period of 60 days from the date of receipt of the application and documents.

7. With this observation and direction, the petition stands **disposed of.**

Sd/-

(Amitendra Kishore Prasad)
Judge

U.K. Raju