



CWP-10718-2026

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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CWP-10718-2026

Date of Decision: 30.04.2026

Shiv Devi and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Ms. Rupinder Kaur Thind, Advocate,
Ms. Tudhjot Kaur Sidhu, Advocate and
Ms. Tejasvi Luthra, Advocate for the petitioners
Ms. Neha Sonawane, Deputy Advocate General, Punjab

JAGMOHAN BANSAL, J. (Oral)

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking directions to respondents to maintain their caste certificates issued by Tehsildar. There are also seeking setting aside of order dated 10.12.2025 whereby Deputy Commissioner-cum-District Electoral Officer, District Tarn Taran has cancelled their Schedule Caste Certificate (for short '**SC Certificate**').

2. Affidavit dated 30.04.2026 of Sh. Rahul, I.A.S. Deputy Commissioner, Tarn Taran filed on behalf of respondent Nos.1 and 2 is taken on record. Registry is directed to tag the same at an appropriate place.

3. The petitioners claim that petitioner No.1 was issued SC Certificate on 17.10.2018 and No.2 on 04.10.2024. Petitioner No.1 participated in the Panchayat Election. Petitioner No.1 was elected as Sarpanch and No.2 as Panch. They issued notice of first meeting of Gram Panchayat. Petitioner No.1 filed a representation dated 04.08.2025 regarding



non-attendance of Panches and non-functioning of Panchayat. She filed *CWP No.23906 of 2025* seeking direction to District Development and Panchayat Officer to decide her representation. This Court vide order dated 19.08.2025 directed the respondent to decide her representation within four weeks. Respondent Nos.3 to 5 filed complaint assailing petitioners' SC Certificate. This Court vide order dated 29.09.2025 in *CWP No.26695 of 2025* directed Deputy Commissioner to decide aforesaid complaint. Deputy Commissioner-cum-District Electoral Officer vide order dated 10.12.2025 has cancelled petitioners' SC Certificates. Consequently, Joint Sub-Registrar-cum-Naib Tehsildar has directed them to surrender their SC Certificate. The respondent has cancelled petitioners' SC Certificates on the ground that they are migrated women.

4. Learned counsel for the petitioners submit that petitioners were not granted opportunity to put forth their stand and jurisdictional Sub-Divisional Magistrate prepared report declaring them ineligible for SC Certificate. They are residing in the State of Punjab for last more than 40 years. They have right to contest the elections as SC candidate. The respondent has no right to mechanically cancel their SC Certificate. It amounts to gross violation of principles of natural justice.

5. *Per contra*, learned State counsel submits that Deputy Commissioner appointed Sub-Divisional Magistrate, Tarn Taran to inquire into the matter. In the inquiry, it was found by Sub-Divisional Magistrate that petitioners are not eligible for SC Certificate in the State of Punjab. The report was examined by Deputy Commissioner and thereafter, petitioner's SC Certificates were cancelled.

6. Heard the arguments and perused the record.
7. From the perusal of record, it is evident that respondent has conducted inquiry and concluded that petitioners are not eligible for SC Certificates in the State of Punjab. The petitioners are staying in the State of Punjab for last 40 years. Petitioner No.1’s in-laws belong to SC Category and petitioner No.2 is daughter of petitioner No.1. No prejudice would be caused to respondent-State if proper and fair opportunity is granted to petitioners to put forth their stand in the form of documentary as well as oral evidence.
8. In the backdrop, this Court finds it appropriate to direct respondents to conduct fresh inquiry and allow the petitioners to join the inquiry. The petitioners shall be granted opportunity to file their submissions as well as personal hearing. The petitioners, at the first instance, shall appear before Inquiry Officer appointed by Deputy Commissioner, Tarn Taran on 11.05.2026 (Monday) at 11:00 AM and thereafter as directed by Inquiry Officer. The proceedings shall be concluded within one month from the date of first hearing.
9. Disposed of in above terms.

(JAGMOHAN BANSAL)
JUDGE

30.04.2026
Mohit Kumar

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