2026:AHC:208660-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 37860 of 2026

Vinay Kumar And 4 Others

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Vivek Kumar Pal
Counsel for Respondent(s)	:	C.S.C.

Court No. - 2

HON'BLE J.J. MUNIR, J.
HON'BLE VIVEK SARAN, J.

1. This writ petition is directed against the orders dated 18.08.2026 and 29.08.2026 passed by the Tehsildar, Tehsil Sikarpur, District Bulandshahr rejecting the petitioners' application for the grant of a caste certificate.

2. Admit.

3. Heard Sri Vivek Kumar Pal, learned counsel for the petitioners and learned Standing Counsel on behalf of the State.

4. Learned Standing Counsel waives opportunity to file a return in view of the order that we propose to pass and earlier orders relating to similar challenges raised to refusal of caste certificate.

5. The petitioners applied for the grant of a scheduled caste certificate which went before the Tehsildar, Tehsil Shikarpur, respondent no. 3. The application was made in the prescribed proforma. A perusal of the impugned orders dated 18.08.2026 and 29.08.2026 shows that it is a rejection recorded in a printed proforma as well without assigning any reasons. The order is utterly cryptic and laconic. The petitioners' case is that they were not afforded any opportunity of hearing and a perusal of the order to the face of it shows that indeed the petitioners were not heard. There is not an expression even by remote mention which may suggest that the petitioners were ever heard in the matter before the impugned order was passed. Natural justice has as one of its principle facets the right to be heard for the man against whom the decision adversely

affecting his interest may be taken. Any order that has civil consequences must be proceeded by hearing. This is wanting in the present case. Also, the absence of reasons in the impugned order makes the order vulnerable on the touchstone of natural justice. It is also a requirement of natural justice that any authority taking a decision affecting rights of citizen must mention briefly the reasons for the conclusion. The complete absence of reasons also leads to violation of the principles of natural justice.

6. In the circumstances, we cannot sustain the order passed by the Tehsildar, Shikarpur, Bulandshahr In result, this petition succeeds and is **allowed**. The impugned orders dated 18.08.2026 and 29.08.2026 are hereby **quashed**. The Tehsildar, Shikarpur, Bulandshahr is ordered to pass a fresh order on the self same application, as earlier made by the petitioners of course, after granting an opportunity of hearing and recording reasons. If there is any deficiency in the petitioners' application, the Tehsildar will give opportunity to the petitioners to make it good before he makes his order.

7. There shall be no order as to costs.

(Vivek Saran,J.) (J.J. Munir,J.)

October 6, 2026
gp

Digitally signed by :-
GANESH PRAKASH
High Court of Judicature at Allahabad