
(2010) 11 UK CK 0070

In the Uttarakhand High Court

Case No : Writ Petition No. 1908 of 2010 (M/S)

Smt. Inderjeet Kaur

APPELLANT

Vs

State of Uttarakhand and Others

RESPONDENT

Date of Decision : 22-11-2010

Acts Referred:

Citation : (2010) 11 UK CK 0070

Hon'ble Judges : Brahma Singh Verma, J

Bench : Single Bench

Judgement

B.S. Verma, J.—Heard Mr. Atul Kumar Bansal, Advocate for the Petitioner and Mr. P.C. Bisht, learned Brief Holder for the Respondents.

2. By means of this petition the Petitioner has sought the following relief-

(1) to issue a writ, order or direction in the nature of certiorari to quash the order dated 25-10-2010(Annexure No. 1 to the writ petition) passed by the Tehsildar, Bazpur, Respondent No. 2.

(2) to issue a writ, order or direction in the nature of mandamus commanding the Respondent No. 2 to issue the backward class certificate to the Petitioner.

(3) to issue a writ, order or direction in the nature of mandamus commanding the Respondent No. 3 not to prevent the Petitioner to appear in the written test for the post of Assistant Teacher (L.T.).

(4) to issue any other writ, order or direction or grant such other further relief in favour of the Petitioner which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

3. The grievance of the Petitioner is that she is domicile of Uttarakhand and belongs to a minority community of "Jat Sikh". She had applied for issuance of caste certificate before the Tehsildar Bazpur, but the Tehsildar has wrongly rejected her application vide impugned order dated 25-10-2010.

4. Learned Counsel for the Petitioner has submitted that the Division Bench of this Court in a similar matter in Writ Petition No. 917 (M/B) of 2003, Dharam Singh v. State of Uttaranchal and Ors., has issued direction to the Respondents to reconsider the matter for issuing necessary certificate to the Petitioner of that case, therefore, in this matter also direction be issued to Tehsildar Bazpur to reconsider the matter for issuing caste certificate in favour of the Petitioner. Prayer made is innocuous.

5. Therefore, in view of judgment of Division Bench of this Court (supra), the Tehsildar Bazpur is directed to reconsider the application of the Petitioner for issuing caste certificate in her favour. The decision be taken by the Respondent No. 2/Tehsildar Bazpur, by 26.11.2010 positively.

6. Till the decision is taken by Respondent No. 2 on the application of the Petitioner, the impugned order dated 25.10.2010, is kept in abeyance.

7. With the above direction, the writ petition is disposed of finally.

8. Certified copy of this order be issued to the parties today itself on payment of requisite fee.