

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No.2029 of 2010 (M/S)

Rajesh Pal S/o Late Ram Das --- Petitioner.

Versus

State of Uttarakhand and others --- Respondents.

Mr. S.K. Mandal, Advocate for the petitioner.
Mr. K.C. Tiwari, Brief Holder for the respondents.

(Hon'ble B.S. Verma, J.)

Heard Mr. S.K. Mandal, Advocate for the petitioner and Mr. K.C. Tiwari, Brief Holder on behalf of the respondents.

By means of this petition the petitioner has sought a writ in the nature of mandamus, directing and commanding the respondents to issue the Jatav Caste (S.C.) certificate to the petitioner without any technical objection.

During the course of argument learned counsel for the petitioner has submitted that the petitioner and his family are the permanent resident of village Sakeniya, P.O. Subhashnagar, Tehsil Gadarpur, District Udham Singh Nagar. He urged that Tehsildar Gadarpur/respondent No.3 is raising objection in issuing the caste certificate on the ground that record of permanent residence of 40 years be produced, whereas the same is not required as per G.O. dated 28-05-2010, wherein 15 years period of permanent residence in Uttarakhand State is provided. Learned counsel, therefore, submitted that the Tehsildar concerned be directed to take a decision on the application of the petitioner at the earliest. Prayer made is innocuous.

The Tehsildar Gadarpur/respondent No.3 is directed to take a decision on the application of the petitioner for issue of caste certificate, which is pending before him, in accordance with law/G.O., within a period of two weeks from the date of production of certified copy of this order.

With the aforesaid direction the writ petition is disposed of finally.

Dated: 30-11-2010

(B.S. Verma, J.)

ISB