

HIGH COURT OF CHHATTISGARH, BILASPUR
Order Sheet

WPC No.13 of 2021

Bhuleshwari Mandavi **Versus** State of Chhattisgarh & ors.

08/01/2021	Shri Yogesh Pandey, counsel for the petitioner. Shri Avinash Singh, PL for the State. Heard. Learned counsel for the petitioner would submit that the petitioner's caste certificate has been canceled only on the basis that the petitioner do not possess any document prior to 1950. He would further submit that the Supreme Court in the case of Anand Versus Committee for Scrutiny and Verification of Tribe Claims and Others {(2012) 1 SCC 113} while dealing with the like nature of case held that probative value of all the documents ought to have been taken into consideration but in case the availability of any documentary evidence becomes difficult, that ipso facto does not call for the rejection of his claim and he would submit that in case the petitioner has not been given any opportunity to place the oral evidence to prove that she belongs to Ngarchi Caste then she would suffer irreparable loss. Learned State counsel is directed to file reply. Considering the submission, it is directed that no coercive steps

pursuant to the order dated 07.12.2019 be taken against the petitioner
till the next date of hearing.

List it in the month of February, 2021.

Certified copy as per rules.

SD/-

Goutam Bhaduri
Judge

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