



2026:CGHC:20930



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 4464 of 2022

Master Mausam Kumar Thakur S/o Prem Singh Thakur Aged About 12 Years Caste Ghavde, (Being Minor), Through Its Natural Guardian Father, Prem Singh Thakur S/o Jaisingh Thakur, Aged About 35 Years, At Present R/o Tata Line, Camp No. 2, House No. 28, Bhilai, District Durg Chhattisgarh Permanent Address Village Khursikala, Tahsil Manpur, District : Mohla-Manpur-Ambagarh Chowki, Chhattisgarh

... Petitioner

versus

1 - State Of Chhattisgarh Through The Secretary, Department Of Education, Mahanadi Bhawan, Naya Raipur, District : Raipur, Chhattisgarh

2 - The Collector Durg, District : Durg, Chhattisgarh

3 - The Collector Rajnandgaon, District : Rajnandgaon, Chhattisgarh

4 - The Sub Divisional Officer (Revenue) District Mohla-Manpur-Ambagarh Chowki, Chhattisgarh

5 - The District Education Officer Durg, Chhattisgarh

6 - The District Education Officer Rajnandgaon, District : Rajnandgaon, Chhattisgarh

7 - E M M School (Bhilai Steel Plant) Through Principal Sector I Bhilai, P. O. Sector I, Bhilai, Tahsil And District Durg, Chhattisgarh

... Respondents

(Cause-title taken from Case Information System)

For Petitioner	: Mr. Punit Ruparel, Advocate
For Respondent-State	: Dr. Arham Siddiqui, Panel Lawyer



Hon'ble Shri Amitendra Kishore Prasad, Judge

Order on Board

05.05.2026

1. By filing the present petition, the petitioner assails the communication dated 04.05.2022 issued by respondent No. 5, whereby correction of his caste in the school record has been refused, despite production of a valid caste certificate showing him to belong to Gond community, though his caste was earlier recorded as "General" at the time of admission due to non-availability of such certificate. The petitioner has prayed for following reliefs :-

"10.1 That the Hon'ble Court may kindly be pleased to quash the impugned communication letter dated 4th of May, 2022 (Annexure P-10), issued by the respondent no. 5.

10.2 That the Hon'ble Court may kindly be pleased to direct the respondent authorities (i.e. respondent no. 7) to made correction of caste of the petitioner in school record as General to Gond within stipulated time.

10.3 That the Hon'ble Court may kindly be pleased to call for the entire records pertaining to the case of the petitioner.

10.4 Any other relief, which may deem fit, in the interest of justice."

2. Learned counsel for the petitioner submits that the impugned communication dated 04.05.2022 is wholly arbitrary and unsustainable in law, as it refuses correction of caste in the school



record despite the petitioner possessing a valid caste certificate issued by the competent authority certifying him to belong to Gond community. It is contended that at the time of admission, the petitioner's caste was recorded as "General" solely due to non-availability of the caste certificate, which was subsequently obtained on 29.08.2020, and immediately thereafter, a request for correction was made. It is further submitted that the petitioner is a minor student aged about 12 years, presently studying in Class VI, and has approached the authorities at the earliest possible stage, without any ulterior motive or intention to derive undue advantage. Learned counsel argues that denial of such correction at an initial stage is unjustified, particularly when the authenticity of the caste certificate is not in dispute, and such refusal would seriously prejudice the petitioner's future rights, including entitlement to benefits of reservation and welfare schemes. It is thus urged that the action of the respondents is violative of Article 21 of the Constitution of India and defeats the very purpose of issuance of a caste certificate, warranting interference by this Court.

3. On the other hand, learned State counsel submits that the impugned communication is justified, as the caste once recorded at the time of admission cannot be altered at a later stage without following due procedure, and the petitioner has an alternative remedy to seek such correction before the competent authority in accordance with applicable rules.



4. I have heard learned counsel for the parties and perused the material available on record.
5. Considering the nature of dispute, which pertains to correction/ascertainment of caste of the petitioner, who is a minor student presently studying in Class VIII, this Court deems it appropriate that the issue is examined by the competent authority in accordance with law. Accordingly, the District Education Officer, Durg, who has passed the impugned order dated 04.05.2022, is directed to refer the matter to the District Level Caste Scrutiny Committee for proper verification and determination of the petitioner's caste status, after affording due opportunity of hearing.
6. The natural guardian/father of the petitioner, namely Prem Singh Thakur, is granted liberty to submit a fresh application along with all relevant documents before the District Education Officer, Durg within a period of 15 days from the date of receipt of a certified copy of this order. Upon such application being filed, the District Education Officer shall, within a further period of 15 days, transmit the same along with all necessary records to the District Level Caste Scrutiny Committee.
7. In the event the matter is so referred, the petitioner's father shall appear before the said Committee along with a copy of this order and supporting documents. The Committee shall thereafter examine the claim, and if any deficiency is noticed, the same shall



be communicated, granting reasonable opportunity to the petitioner to rectify the same. The Committee shall then pass a reasoned and speaking order, strictly in accordance with law, within a period of 120 days from the date of receipt of reference.

8. It is made clear that the entire exercise shall be conducted in a fair and expeditious manner, ensuring due compliance with the principles of natural justice.
9. With the aforesaid observations and directions, the writ petition stands disposed of. No order as to costs.

Sd/-
(Amitendra Kishore Prasad)
Judge