

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S).8425 OF 2013

RANJANA KUMARI

APPELLANT(S)

VERSUS

STATE OF UTTARAKHAND & ORS.

RESPONDENT(S)

O R D E R

1. We have heard the learned counsels for the parties and perused the relevant material.

2. The appellant who belongs to *Valmiki* caste (Scheduled Caste) of the State of Punjab married a person belonging to the *Valmiki* caste of Uttarakhand and migrated to that State. In the State of Uttarakhand under the Presidential Order '*Valmiki*' is also recognized as a notified Scheduled Caste. The State of Uttarakhand issued a certificate to the appellant.

3. The appellant contended before the High Court that she was a Scheduled Caste of the State of Uttarakhand. The High Court having rejected the claim, the appellant is in appeal before us.

4. Two Constitution Bench judgments of this Court in *Marri Chandra Shekhar Rao vs. Dean, Seth*

*G.S. Medical College & Ors.*¹ and Action Committee on Issue of Caste Certificate to Scheduled Castes & Scheduled Tribes in the State of Maharashtra & Anr. vs. Union of India & Anr.² have taken the view that merely because in the migrant State the same caste is recognized as Scheduled Caste, the migrant cannot be recognized as Scheduled Caste of the migrant State. The issuance of a caste certificate by the State of Uttarakhand, as in the present case, cannot dilute the rigours of the Constitution Bench Judgments in *Marri Chandra Shekhar Rao (supra)* and Action Committee (*supra*).

5. We, therefore, find no error in the order of the High Court to justify any interference. The appeal is accordingly dismissed.

.....,CJI.
(RANJAN GOGOI)

.....,J.
(UDAY UMESH LALIT)

.....,J.
(K.M. JOSEPH)

NEW DELHI
NOVEMBER 01, 2018

1 (1990) 3 SCC 130

2 (1994) 5 SCC 244

ITEM NO.101

COURT NO.1

SECTION X

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 8425/2013

RANJANA KUMARI

Appellant(s)

VERSUS

STATE OF UTTARAKHAND & ORS.

Respondent(s)

WITH

SLP(C) No. 13781/2012 (X)

Date : 01-11-2018 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE K.M. JOSEPH

For Parties :

Dr. Aman Hingorani, Adv.
Ms. Priya Hingorani, Adv.
Dr. Shweta Hingorani, Adv.
M/S. Hingorani & Associates, AOR

Ms. Rachana Srivastava, AOR
Ms. Monika, Adv.

Mr. Dinesh Kumar Garg, AOR
Mr. Dhananjay Garg, Adv.
Mr. Deepak Mishra, Adv.

Ms. Chandan Ramamurthi, AOR

Uttarakhand
Public Service
Commission

Mr. Jatinder Kumar Bhatia, AOR

UPON hearing the counsel the Court made the following
O R D E R

Civil Appeal No(s). 8425/2013

The appeal is dismissed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

SLP(C) No. 13781/2012

List the matter after the ensuing Diwali vacation.

**(NEETU KHAJURIA)
COURT MASTER**

**(ASHA SONI)
ASSISTANT REGISTRAR**

(Signed order in C.A. 8425/2013 is placed on the file.)