

ITEM NO.37

COURT NO.11

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) NO. 55/2025

SANTOSH KUMARI

PETITIONER(S)

VERSUS

GOVERNMENT OF NCT OF DELHI & ORS.

RESPONDENT(S)

FOR ADMISSION

Date : 23-06-2025 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.V. VISWANATHAN
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH
(PARTIAL COURT WORKING DAYS BENCH)

For Petitioner(s) :

Mr. Karan Babuta, Adv.
Mr. Dawneesh Shaktivats, AOR
Mr. Mohd Yasin, Adv.
Ms. Himanshi Mehta, Adv.
Mr. Advait Ghosh, Adv.
Mr. Ansh Arora, Adv.

For Respondent(s) :

Mr. S.D. Sanjay, A.S.G.
Mr. Mukesh Kumar Maroria, AOR
Mr. Khushal Kolwar, Adv.
Mr. Piyush Beriwal, Adv.
Mr. Amit Sharma-B, Adv.

Mr. S.D.Sanjay, A.S.G.
Mr. Piyush Beriwal, Adv.
Mr. Amit Sharma-II, Adv.
Mr. Shubham Prakash Mishra, Adv.
Mr. Khushal Kolwar, Adv.
Dr. N. Visakamurthy, AOR

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

1. The present writ petition raises an important issue about issuance of Other Backward Class certificate to the children of single mothers, where the mother belongs to the Other Backward Class category. The claim of the petitioner is that the certificate should be issued on the basis of the certificate held by the single mother. The grievance of the petitioner is that the present guidelines provide for considering the Other Backward Class certificate issued to any paternal blood relatives as the basis. According to the petitioner, this causes grave hardship to the single mothers.

2. Mr. S.D. Sanjay, learned Additional Solicitor General draws our attention to the counter affidavit filed by the Ministry of Social Justice and Empowerment and to the judgment passed by this Court in the case of *"Rameshbhai Dabhai Naika Vs. State of Gujarat"* reported in (2012) 3 SCC 400, wherein observations were made with regard to the single mothers belonging to the Scheduled Caste/Scheduled Tribe categories and submits that similar guidelines will have to be laid down in the present matter also.

3. Considering the importance of the matter, subject to the orders of the Hon'ble the Chief Justice of India, let

this matter be placed for final hearing on 22nd July, 2025.

4. In the meantime, parties are at liberty to file their written submissions.

5. Liberty is granted to the petitioner to serve a copy of this petition on the Standing counsel for all the States. Such of the States who desire to put in appearance and place their point of views, shall be at liberty to do so, in the meantime.

(POOJA SHARMA)
COURT MASTER (SH)

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)