

Court No. - 10

Case :- WRIT - C No. - 37796 of 2023

Petitioner :- C/M Swargiya Bhagvanti Devi Digree College

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Shachindra Kumar Mishra

Counsel for Respondent :- C.S.C.

Hon'ble Kshitij Shailendra,J.

1. Heard Sri Shachindra Kumar Mishra, learned counsel for the petitioner, Sri R.K. Tiwari, learned Standing Counsel for the State-respondents and perused the record.

2. This writ petition has been filed seeking a writ of mandamus commanding the respondents to release the balance amount of financial assistance i.e. a sum of Rs. 10 lacs, in terms of Government Order dated 4.9.2008.

3. Learned counsel for the petitioner submits that documents establishing utilisation of the amount earlier received, including utilisation certificate, already exist in the office of concerned respondent, however, despite the same, the balance amount is not being released.

4. Learned Standing Counsel submits that the petitioner has moved an application dated 24.3.2023 before respondent no.2 - Director Higher Education, Uttar Pradesh, Allahabad, U.P. and subject to availability of all necessary documents, the application of the petitioner shall be considered in accordance with law.

5. Instead of inviting response from the respondents, the writ petition is **disposed of** directing respondent no.2 - Director Higher Education, Uttar Pradesh, Allahabad, U.P. to consider the petitioner's application dated 24.3.2023 and take a decision thereon, after due verification of record, particularly utilisation of the funds earlier released.

6. Such decision shall be taken on or before 28.2.2024, provided a certified copy of this order is filed before the respondent no.2 by the end of this month along with necessary enclosures.

Order Date :- 9.11.2023

CS/-