

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

LPA No. 15/2024

Haryana Engineering College, Jagadhri Haryana
through authorized person namely Sh. Yashwant
Krishan Mittal, Age 67 years,
S/o Sh. Sewa Ram Mittal
R/o 292/23A Chandigarh.

Vs.

1. Union of India through Secretary Ministry
of Human Resource Development,
Government of India, New Delhi.
2. All India Council for Technical Education-
Nelson Mandela Marg, Vasant Kunj-New
Delhi
3. State of J&K through Commissioner
Secretary to Govt. Higher Education
Department-Civil Secretariat/Jammu

LPA No. 11/2024

Vyas Group of Colleges, Jodhpur Rajasthan
through authorized person namely Manish Vyas,
aged 56 years
S/o Govrdhan Das Vyas r/o Sardarpur, Jodhpur,
Rajasthan

Vs.

1. Union of India through Secretary Ministry
of Human Resource Development,
Government of India, New Delhi.
2. All India Council for Technical Education-
Nelson Mandela Marg, Vasant Kunj-New
Delhi
3. State (now UT) of J&K through
Commissioner Secretary to Govt. Higher
Education Department-Civil
Secretariat/Jammu

LPA No. 12/2024

S.S. College of Engineering Udaipur through
authorized person namely Abhay Singhvi

S/o Manmohan Raj Singhvi R/o Saheli Marg-
Udaipur Trustee Age. 43 years.

Vs.

1. Union of India through Secretary Ministry
of Human Resource Development,
Government of India, Shastri Bhawan,
Delhi India (Also Ex-Officio Chairman,
Inter Ministerial Committee for PMSSS.
2. Secretary All India Council for Technical
Education-Vasant Kunj, Nelson Mandela
Marg, New Delhi-67 India
3. Govt. of J&K (UT) through Secretary to
Govt. Higher Education Department-Civil
Secretariat Srinagar/Jammu

LPA No. 14/2024

Pacific Academy of Higher Education and
Research University Udaipur-Rajasthan through
its Registrar,
Sharad Kothari, Age 48 years
S/o Late Roshan Lal Kothari,
R/o Kothari Bhawan, Bhopalpura Udaipur
(Rajasthan)

Vs.

1. Union of India through Secretary Ministry
of Human Resource Development,
Government of India, New Delhi.
2. All India Council for Technical Education-
through its Secretary
New Delhi
3. UT of J&K through Commissioner/
Secretary to Govt. Higher Education
Department-Civil Secretariat
Srinagar/Jammu

LPA No. 16/2024

S.S. College of Engineering Udaipur through
authorized person namely Abhay Singhvi
S/o Manmohan Raj Singhvi R/o Saheli Marg-
Udaipur Trustee Age. 43 years.

Vs.

1. Union of India through Secretary Ministry
of Human Resource Development,

Government of India, Shastri Bhawan,
Delhi India (Also Ex-Officio Chairman,
Inter Ministerial Committee for PMSSS.

2. Secretary All India Council for Technical
Education-Vasant Kunj, Nelson Mandela
Marg, New Delhi-67 India
3. Govt. of J&K (UT) through Secretary to
Govt. Higher Education Department-Civil
Secretariat Srinagar/Jammu.

Through: Mr. Shafqat Nazir, Adv. vice Ms Heena Baqal, Adv. Appellant(s)

Through: Mr Tahir Majid Shamsi, DSGI with ...Respondent(s)
Ms Yasmeen Jan, Adv. for 1
Mr. Bilal Ahmad Malla, Adv. for 2
Mr. Ilyas Nazir Laway, GA for 3

CORAM:

HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE
HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE

ORDER
05.06.2025

1. These appeals under Clause 12 of Letters Patent filed by different educational institutions are directed against a common order dated 14th September 2023 passed by the learned Single Judge of this Court [“the Writ Court”] in WP (C) No. 3905/2019 and clubbed matters, whereby, the Writ Court has dismissed all the petitions.
2. Indisputably, the appellant-Institute are situate and located in different States including the States of Rajasthan and Haryana. The short grievance of the appellants as was projected before the Writ Court was that they had admitted some students from J&K in their institutions keeping in mind the guidelines issued for Prime Minister’s Special Scholarship Scheme (PMSSS) for the year 2013-2014.
3. It is submitted that the appellant-Institutes legitimately expected that the scholarship to the students admitted by them in their institutes would be paid through them and, accordingly, granted admission to various students from J&K.
4. The grievance, as was projected by the appellant-Institutes in their petitions before the Writ Court, was that the Government of India has now refused to release the benefit of the aforesaid scheme and, as a result whereof, they have been deprived of the tuition fees, hostel fees

and other incidental charges incurred by them in respect of the students of the then State of J&K. Since the institutions are situate and the cause of action, if any, has accrued to the appellants in the respective States/UTs where these institutions are located, as such, this Court lacks jurisdiction to entertain the grievance of the appellant-Institutes. The Writ Court has also gone to the question of locus of the appellants to file the petitions.

5. After hearing learned counsel for the parties for some-time, we arrived at a tentative conclusion that this Court for the reasons afore-stated does not have territorial jurisdiction to entertain the petitions, and, when this was put to the learned counsel for the appellant, learned counsel fairly submitted that he may be permitted to withdraw all the petitions with liberty to approach the High Courts having jurisdiction in the matter.
6. We have taken the statement of learned counsel for the appellants on record.
7. The appeals are **disposed** of by providing as under:-
 - (i) That the common judgment of the learned Single Judge which is impugned in these appeals is set-aside.
 - (ii) That the writ petitions are dismissed as withdrawn with liberty to the appellants to approach their respective High Courts having territorial jurisdiction in the matter.

(SANJAY PARIHAR)
JUDGE

(SANJEEV KUMAR)
JUDGE

SRINAGAR:
05.06.2025
Altaf

Whether approved for reporting? Yes/No