

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2014 of 2015

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R.G.M. Institute of Technology & Management, Village- Nagaliya Palla Sallu, P.O.- Karah Rustampur, Nagaliya Palla Sallu, Aligarh, Uttar Pradesh-202136 through its Director, Dilawar Singh, son of Prahalad Singh, resident of Nagliya Pallu Sallu, G.T. Road, P.S.- Gabhana, District- Aligarh, Uttar Pradesh.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Schedule Caste and Schedule Tribe Welfare Department, Government of Bihar, Old Secretariat, Patna.
2. The Secretary, Schedule Caste and Schedule Tribe Welfare Department, Government of Bihar, Old Secretariat, Patna.
3. The Director, Schedule Caste and Schedule Tribe Welfare Department, Government of Bihar, Old Secretariat, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raj Kamal

Mr. Sanjeet Kumar

For the Respondent/s : Mr. Rajiv Kumar Singh, GP-2

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 03-02-2015

Let the defect be ignored for the present.

Although this matter is listed for orders but considering the nature of grievance raised and with the consent of the parties, the writ petition has been taken up with a view to its final disposal at this stage itself.

Heard Mr. Raj Kamal, learned counsel appearing for the petitioner and Mr. Rajiv Kumar Singh, learned Government Pleader No.2 for the State.

The petitioner is an educational institution affiliated with the Board of Technical Education, Uttar Pradesh and has

been set up for imparting Diploma in Engineering courses. The institution is situated at Aligarh in the State of Uttar Pradesh.

The writ petition has been filed for a direction to the respondent no.2 i.e. the Secretary, Scheduled Castes and Scheduled Tribes Welfare Department to take appropriate steps for reimbursement of the amount of scholarship and fee of the students belonging to scheduled castes and scheduled tribes categories who are pursuing their studies with the petitioner institution and are residents of the State of Bihar. The Institute for such relief relies upon the schemes implemented by the Government of India in its Ministry of Social Justice & Empowerment and the Ministry of Tribal Affairs respectively which provides for Post Matric Scholarships to the students belonging to Scheduled Castes and Scheduled Tribes respectively for pursuing studies in recognized institutions. Copies of the schemes are present at Annexure-2 series. According to the Schemes, the students belonging to such of the categories are entitled to scholarships on their admission as well as the tuition fee. It is the case of the petitioner that it is following the Schemes that the Institute has provided the eligible students of this State with the benefits in session 2013-14 belonging to the scheduled castes and scheduled tribes



categories whose list is enclosed at Annexure-8 series to the writ petition and the institute has waived of the admission fee as well as the tuition fee of these students but despite request, it has not been recompensed by the State Government in terms of the schemes and for which representation have been filed before the respondent no.2 present at Annexures 9 and 10 to the writ petition which are dated 27.12.2014 and 1.1.2015.

It is submitted by Mr. Raj Kamal, learned counsel appearing for the petitioner and not contested by Mr. Singh that the representations which discusses the claim set up by the petitioner-Institution requires disposal by the competent authority i.e. respondent no.2 in the backdrop of the Schemes adopted by the State of Bihar.

Having heard learned counsel for the parties and taking note of the grievance of the petitioner, the writ petition is disposed of with a direction to the Principal Secretary/Secretary, Scheduled Castes and Scheduled Tribes, Welfare Department, Government of Bihar (respondent no.2) before whom the representations dated 27.12.2014 and 1.1.2015 placed at Annexures 9 and 10 respectively of this writ petition remain pending, to consider the representations and dispose of the same in accordance with law and after giving an opportunity of

hearing to the petitioner.

Considering the nature of grievance raised, an expeditious disposal preferably within a period of three months from the date of receipt/production of a copy of this order would be appreciated.

(Jyoti Saran, J)

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