

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1871 of 2015

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Dulari Devi Institute of Pharmacy, Chandaus, Aligarh, Uttar Pradesh through its Secretary, Nirbhaya Singh, son of Sri Ramjeet Singh, resident of Village- Nawabpur, P.O- Rampur- Shahpur, P.S- Chandaus, District- Aligarh, U.P.

.... 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 Schedue 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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with

Civil Writ Jurisdiction Case No.1875 of 2015

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Raja Ramchandra Institute of Technology & Management, Pisawa Road, Chandaus, Aligarh, Uttar Pradesh through its Acting Director, Sanjay kumar Taumar, son of Sri Hukum Singh, resident of Sangam Vihar Colony, Gali No. -2, Tikona Naglan Road, Surendra Nagar, P.S- Naurangabad, District- Aligarh, U.P.

.... Petitioner/s

Versus

1. The State of Bihar 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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with

Civil Writ Jurisdiction Case No.2454 of 2015

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NCR Technical Campus Chandaus, Aligarh, Uttar Pradesh through its Acting Director, Neeraj Solanki, son of Late Sri Naubat Singh, resident of 2/2052, Gali No. 2, Rambagh Colony, P.S. - Quarsi, District - Aligarh, U.P.

.... 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 :

(In CWJC No.1871 of 2015)

For the Petitioner/s : Mr. Raj Kamal
Mr. Sanjeet Kumar

For the Respondent/s : Mr. Kinkar Kumar, SC-27

(In CWJC No.1875 of 2015)

For the Petitioner/s : Mr. Raj Kamal
Mr. Sanjeet Kumar

For the Respondent/s : Mr. Sc28- Ajeet Kumar, SC-28

(In CWJC No.2454 of 2015)

For the Petitioner/s : Mr. Raj Kamal
Mr. Sanjeet Kumar

For the Respondent/s : Mr. Amar Nath Deo, SC-26

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 23-03-2015

Heard Mr. Raj Kamal, learned counsel appearing for the petitioners in the three writ petitions and the counsel for the State appearing in the respective cases.

Since the grievance raised in each of the writ petitions is identical hence these writ petitions have been taken up together and with consent of the parties, have been heard with a view to their final disposal at the stage of admission itself.

A universal grievance has been raised by the petitioner-institutions herein regarding non-consideration of their claim by the respondents in the matter of reimbursement of scholarship and fee of the students belonging to the Scheduled Caste and Scheduled Tribe category who are permanent residents of the State of Bihar. All the three petitioners complain of non-reimbursement of their claims by the State for the sessions 2012-13 and 2013-14. The three petitioners herein are

educational institutions who are affiliated with the Board of Technical Education, State of Uttar Pradesh.

The writ petitions have been filed for a direction to the respondent- Secretary, Scheduled Caste and Scheduled Tribe Welfare Department to take appropriate steps for reimbursement of the scholarship and fee of the students belonging to the Scheduled Caste and Scheduled Tribe category who are pursuing their studies with the petitioner-institutions and are residents of the State of Bihar.

The Institute relies upon the scheme enforced by the Central Government in its Ministry of Social Justice & Empowerment and the Ministry of Tribal Affairs respectively which provides for Post Matric Scholarship to the students belonging to Scheduled Caste and Scheduled Tribe respectively for pursuing higher studies in recognized institution. Copies of the schemes have been appended in the writ petitions.

Mr. Raj Kamal, learned counsel appearing for the petitioner-institutions herein has submitted that although claims have been set up by the petitioners before the State Government in its Scheduled Caste and Scheduled Tribe Welfare Department but with no response and thus these writ petitions.

Having heard learned counsel for the parties and taking note of the nature of grievance raised herein, the writ

petitions are disposed of with a direction to the petitioner-institutions to file a fresh representation giving details of the claim for the sessions 2012-13 and 2013-14 before the Principal Secretary/Secretary, Scheduled Castes and Scheduled Tribe Welfare Department, Government of Bihar, Patna and who shall consider and dispose of the same in accordance with law and after giving opportunity of hearing to the representative(s) of the petitioner-institutions within a period of three months from the date of receipt/production of a copy of this order.

(Jyoti Saran, J)

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