

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 12927 of 2015

Date of Decision: 23.09.2015

Master Tara Singh Memorial College for Women and Another

... Petitioner(s)

Versus

State of Punjab and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice G.S.Sandhawalia.

Present: Mr. Surender Thakur, Advocate
for Mr. Sameer Sachdeva, Advocate
for the petitioner(s).

Mr. Rakesh Verma, Additional Advocate
General, Punjab for respondents No.1 to 3.

Mr. Vinod Sharma, Advocate
for respondent No.4.

G.S.Sandhawalia, J.

The prayer in the present petition is not to charge admission, tuition and other non-refundable fees from the eligible students covered under the scheme of Post Matric Scholarships to the Students Belonging to Scheduled castes in view of the judgments of this Court.

In the written statement, filed by respondents No. 1 & 2, the plea taken is that as per the judgment of this Court passed on 10.10.2014, the Punjab Government has issued the notification dated 12.8.2015. The relevant part of the written statement reads as under:

"That in consequent of judgment and order passed in CWP No. 15455 of 2014 on 10.10.2014 the Department of Welfare, Govt. of Punjab vide notification dated August 12, 2015, issued instructions on the issue of charging fee from the SC students and the same was circulated to the concerned institutions.

As per the decision of Hon'ble Punjab and Haryana High Court on 10.10.2014, and Punjab Govt. notification dated 12.8.2015, those recognised aided and unaided institutes who will charge non-refundable compulsory fee from eligible S.C. students, they will give undertaking in writing in the fees receipt that they will not claim the non-refundable compulsory fees from the Govt. Non-refundable compulsory fees and maintenance allowance of such students will be credited in their bank accounts through online banking system by Welfare Department, Punjab.

The aided and un-aided recognised institutes in the State of Punjab who will give admissions to eligible S.C. students without charging non-refundable compulsory fees, they can claim reimbursement of fee through their line department from the Welfare Department. In such cases Non-refundable compulsory fees will be credited into the bank accounts of institutes and maintenance allowance will

be credited into the bank accounts of students through online banking management system by the Welfare Department, Punjab. (Copy of notification dated 12 August is appended as Annexure R-1).

In view of the position explained above the present Civil Writ Petition is liable to dismissed qua the Respondent No.1 and 2."

Keeping in view the relief claimed and the defence taken, it is apparent that the present petition is rendered infructuous and is disposed of accordingly.

(G.S.Sandhawalia)
Judge

September 23, 2015

"DK"