

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.19195 of 2014
Date of decision: 30.08.2016

Rohtash Kumar

... Petitioner

Vs.

Union of India and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Ms. Veena Kumari, Advocate
for the petitioner.

Mr. Vipul Aggarwal, Sr. Panel Counsel for UOI.

Mr. R.K. Doon, AAG, Haryana.

Mr. Naresh Kumar, Advocate for
Mr. Manish Dadwal, Advocate
for respondent No.4.

RAMESHWAR SINGH MALIK, J. (ORAL)

Feeling aggrieved against the alleged inaction on the part of respondent authorities, petitioner has approached this Court, by way of present writ petition under Article 226/227 of the Constitution of India, seeking a writ in the nature of mandamus.

Notice of motion was issued and in compliance thereof, written statement has been filed on behalf of respondents No.2, 3 and 6, whereas respondent No.1 filed its separate written statement.

Heard learned counsel for the parties.

At the very outset, learned counsel for the petitioner places reliance

on an order dated 29.01.2016 passed by this Court in **CWP No.25427 of 2015 (Harpreet Singh Vs. Union of India and others)**, to contend that a bunch of writ petitions was disposed of by this Court vide order dated 29.01.2016 and the present case is squarely covered by the said order.

So far as Union of India is concerned, it is specifically stated in the written statement that requisite amount is being disbursed regularly to the State of Haryana. On the other hand, State of Haryana has taken a stand in its reply that the amount is not being disbursed by Union of India on regular basis.

Be that as it may, students like the petitioners are entitled for the benefit of scheme sponsored by Government of India.

The relevant directions issued by this Court vide abovesaid order dated 29.01.2016, read as under: -

“After hearing learned counsel for the parties, in my opinion, the present petitions can be disposed of at this stage with a direction to the Government of India to disburse the claim made by the State Government in terms of the scheme, providing for certain benefits to the Other Backward Classes students, who are studying in various courses after matriculation. The stand of the State is that it had made a claim to the Government of India but the amount has not been disbursed. If the claim of the State is found to be in order, the Government of India will disburse the amount claimed within a period of three months. The time limit of three months will start from the date entire formalities are completed by the State. In case any other information is required by Government of India, the same shall be apprised to the State within one month, so as to

enable it to complete the formalities required. It is also directed that the State will not unnecessarily keep the matter pending with it. In case any query is raised by Government of India, the same shall be responded to without any delay.

As far as disbursement of the amount is concerned, it shall be ensured that the amount is not mis-utilized and goes to the persons eligible under the scheme.

When confronted with the abovesaid directions already issued by this Court vide order dated 29.01.2016, learned counsel for the State of Haryana as well as Union of India had no answer and rightly so, it being a matter of record.

In view of the above, present petition is disposed of, in terms of the abovesaid order dated 29.01.2016 passed by this Court.

Disposed of, accordingly.

[RAMESHWAR SINGH MALIK]
JUDGE

30.08.2016
vishnu

Whether speaking/reasoned Yes/No

Whether reportable Yes/No