

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3939 of 2017

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Yogendra Paswan Son of Late Shiv Nandan Paswan, Resident of Village- Sewai,
P.O. Panditganj, P.S. Kadirganj, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Main Secretariat, Patna.
2. The Secretary, Scheduled Caste & Scheduled Tribe Welfare Department, Block-A, Officers' Hostel, Bailey Road, Patna.
3. The District Magistrate, West Champaran at Bettiah
4. The District Magistrate, East Champaran at Motihari
5. The District Welfare Officer, West Champaran at Bettiah
6. The District Welfare Officer, East Champaran at Motihari.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anshuman Singh, Advocate
Mr. Subodh, Advocate

For the Respondent/s : Mr. Kaushal Kr. Jha, AAG-8

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 03-07-2017

In this petition filed *pro bono*, grievance of the petitioner is that the State Government by resolution, which was published in the newspapers, is reported to be taking action for reducing the scholarship payable to the Scheduled Caste and Scheduled Tribes students pursuing their studies in Technical Institutions. It is alleged that the scholarship which was being given in accordance to the policy formulated in the year 2013 is being reviewed and instead of granting scholarship for the entire duration of the course, it is liable to be curtailed. *Inter alia* contending that curtailment of the scholarship for the course in question would adversely affect the right of the students and, therefore, a mandamus may be issued to grant scholarship for the entire duration of the course as was originally decided, this petition has been filed.



On instructions from the State Government, learned counsel appearing for the State Government has filed a counter affidavit and in paras 13 and 14 of the aforesaid counter affidavit, the averment is made to say that the Government is conscious of the grievance expressed by the petitioner, which has been taken note of and the matter is under consideration with the State Government for taking favourable decision in favour of the petitioner and it is stated that within a period of two months, the matter shall be amicably resolved and the interest of the genuine students protected.

Keeping in view the aforesaid, for the present, it is not necessary for this Court to make any indulgence into the matter, instead, the State Government is directed to take a decision within two months as indicated in the counter affidavit and, in case, after the decision is taken any grievance still subsists, the petitioner shall have liberty to ventilate the same in accordance with law.

With the aforesaid, keeping in view the counter affidavit filed by the State Government, the matter stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.07.2017
Transmission Date	

