

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1292 of 2017**

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1. Sanjeet Kumar Son of Kameshwar Ram Resident of Village Katesar, P.S. Bihta, District Patna.
2. Vikash Kumar Son of Birendra Paswan resident of Village-Hasanpura, P.S. Masaurhi, District Patna.
3. Bhupesh Kumar Son of Ashok Paswan Resident of Village Sabarchak, P.S. Naubatpur, District- Patna
4. Bakhoran Choudhary Son of Mattu Choudhary Resident of Village Mondalu, P.S. Telhara, District Nalanda.
5. Rahul Kumar Son of Kakhindra Paswan Resident of Village Basara Shkul, P.S. Saraiya, District Muzaffarpur.
6. Ramesh Kumar Son of Ram Vilash Ram Resident of Village and P.O. Chadhua, P.S. Kudhani, District Muzaffarpur.
7. Deepak Kumar Son of Jawahar Paswan Resident of Bangara Banshidhar, P.S. Kurhani, District Muzaffarpur.
8. Rohit Kumar Ranjan Son of Kavindra Paswan Resident of Village Gidhha, P.S. Saraiya, District Muzaffarpur.
9. Chanchal Kumar Son of Ram Pravesh Ram Resident of Village Bajitpur Kheshra, P.S. Kurhani, District Muzaffarpur.
10. Rajendra Ram Son of Rameshwar Ram Resident of Village Rupoli, P.S. Saraiya, District Muzaffarpur.
11. Ajeet Kumar Son of Ram Naresh Baitha Resident of Village Berua, P.S. Saraiya, District Muzaffarpur.
12. Randhir Kumar Son of Lal Babu Ram Resident of Village Sonbhadra, P.S. Banshi, District Arwal.
13. Pawan Kumar Ram Son of Kamleshwari Ram Resident of Village Jaynagar, P.S. Bhargama, District Araria.
14. Akashdeep Arya Son of Deep Narayan Das Resident of Village kasimbagh, P.S. Habibpur, District Bhagalpur.
15. Arvind Kumar Son of Vshwanath Das Resident of Village Harnathchak, P.S. Gopalpur, District Bhagalpur.
16. Prabhash Son of Rudra Narayan Bharti Resident of Village and P.O. Patori, P.S. Singheshwar , District Madhepura.
17. Sachin Kumar Ram Son of late Suren Kumar Ram Resident of Village Khilwat, P.S. Bidupur, District Vaishali.
18. suman Rajak Son of Dhaneshwar Rajak Resident of Village Pathara, P.S. Barhat, District Banka.
19. Abhay Kumar Son of Hiralal Ram Resident of Village Gosainpur, P.S. Nokha, District Rohtas.
20. Avinash Kumar Son of Surendra Ram Resident of Village Naya tola Banjariya, P.S. Banjariya, District East Champaran.
21. Rakesh Kumar Uraon, Son of Girja Shankar Uraon Resident of Village Chivtaha, P.S. Semra, District West Champaran.
22. Priyesh Kumar Uraon son of Ramanand Uraon Resident of Village Dhangdhahiya, P.S. Balmikinagar, District West Champaran.
23. Arvind Uraon son of Bhola Uraon Resident of Village Chabka, P.S. Ramnagar, District West Champaran.
24. Kundan Uraon Son of Bigu Uraon Resident of Village Kadmahwa, P.S. Chivtaha, District West Champaran.



25. Manohar Uraon Son of Harendra Uraon Resident of Village Nawaka Tola Bharwaliya, P.S. Semra, District West Champaran.
26. Sujit Uraon Son of Premasagar Uraon Resident of Village Chiutaha, P.S. Chiutaha, District West Champaran.
27. Amit Uraon Son of Rajmohan Uraon Resident of Village Dhangdahiya, P.S. Balmikinagar, District West Champaran.
28. Amit Kumar Uraon Son of Moti Mahto Uraon Resident of Village Phaikawliya, P.S. Semra, District West Champaran.
29. Rajnish Kumar Son of Ganesh Uraon Resident of Village Mahua, P.S. Semra, District West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar represented through Chief Secretary, Government of Bihar, Patna.
2. Chief Secretary, Government of Bihar, Patna.
3. Principal Secretary, Department of Welfare Government of Bihar, Patna.
4. Principal Secretary, SC/St Welfare Department, Government of Bihar, Patna.
5. Director, SC/ST Welfare Department, Government of Bihar, Patna.
6. District Magistrate, Patna.
7. District Magistrate, Nalanda.
8. District Magistrate, Muzaffarpur.
9. District Magistrate, Arwal.
10. District Magistrate, Araria.
11. District Magistrate, Bhagalpur.
12. District Magistrate, Madhepura.
13. District Magistrate, Vaishali.
14. District Magistrate, Banka.
15. District Magistrate, Rohtas.
16. District Magistrate, East Champaran.
17. District Magistrate, West Champaran.
18. District Welfare Officer, Patna.
19. District Welfare Officer, Nalanda.
20. District Welfare Officer, Muzaffarpur.
21. District Welfare Officer, Arwal.
22. District Welfare Officer, Araria.
23. District Welfare Officer, Bhagalpur.
24. District Welfare Officer, Madhepura.
25. District Welfare Officer, Vaishali.
26. District Welfare Officer, Banka.
27. District Welfare Officer, Rohtas.
28. District Welfare Officer, East Champaran.
29. District Welfare Officer, West Champaran.
30. GIET College of Engineering , GIET Campus, Chaitanya Knowledge City, NH-16, Rajahmundry, East Godavari, Andhra Pradesh (Tamilnadu).
31. Jawaharlal Nehru Technological University, Kakinada, 533003, Andhra Pradesh, through its Registrar.
32. The Registrar, Jawaharlal Nehru Technological University, Kakinada 533003 , Andhra Pradesh.

... .. Respondent/s



**Appearance :**

For the Petitioner/s : Mr. Avinash Kumar  
For the Respondent/s : Mr. G.P. OJHA- GA7

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

**ORAL ORDER**

12 09-10-2017            The petitioners belong to Scheduled Castes and Scheduled Tribes. Under certain scheme for grant of scholarship to students belonging to Scheduled Castes and Scheduled Tribes, so as to facilitate their studies at higher level, they were promised that they would be provided with scholarship for pursuing their Engineering Course.

It is the case of the petitioners that they had taken admission in BE/B.Tech Course at GIET College of Engineering, GIET Campus, Chaitanya Knowledge City, NH-16, Rajahmundry, East Godavari, Andhra Pradesh (Tamilnadu), affiliated under the Jawaharlal Nehru Technological University, Kakinada, Andhra Pradesh.

From the pleadings on record, it appears that the scholarship amount was to be released in favour of the College. Since the scholarship fund could not be released, despite the fact that the petitioners had completed their course, the University refused to publish their results on the ground of non-payment of fees.

I need not go into all the details of this case for the



present, in view of an affidavit filed on behalf of the State of Bihar, bringing on record a chart, petitioners-wise, showing the status of payment of the scholarship up to the academic year 2016-17.

The said chart also contains reasons for non-payment of scholarship in case of few. From the said chart it appears that payments as regards petitioner Nos. 1, 2, 4, 12, 13, 16, 17, 18, 19, 23, 24, 25, 26, 27, 28 and 29 have been made.

As regards petitioner Nos. 3,20 and 21, it is mentioned that the applications have not been received. So far as petitioner Nos. 3,20 and 21 are concerned, I direct the Principal Secretary, Scheduled Caste and Scheduled Tribe Welfare Department, Government of Bihar to see why their applications could not be received and examine their entitlement and take a decision within a period of four months from the date of receipt/production of a copy of this order.

As regards petitioner Nos. 5 to 11, there is a remark that after due verification, the scholarship amount shall be released within a week. The Court believes that their grievances must have been redressed by now if not the same must be redressed without any delay.

As regards petitioner Nos. 14 and 15, it is mentioned in the



chart that the amount has not been released because the Bank account of the District Welfare Office has been frozen by the District Administration. I direct the Principal Secretary, Scheduled Caste and Scheduled Tribe Welfare Department, Government of Bihar to look into this aspect of the matter and ensure that said petitioner Nos. 14 and 15 are not made to suffer because of any administrative action taken by the District Administration at the level of the District Welfare Office. The Principal Secretary, Scheduled Caste and Scheduled Tribe Welfare Department is directed to take a decision and work out ways and means for payment of the said scholarship amount.

As regards petitioner No.22, it has been mentioned that in terms of the government guidelines, scholarship amount is not payable. Petitioner No.22 shall be at liberty to approach the Principal Secretary, Scheduled Caste and Scheduled Tribe Welfare Department, in this regard by filing a representation within a period of two weeks from today. The Principal Secretary, in turn, will be required to take a decision in this regard within a period of two weeks from the date of receipt/production of a copy of this order and proceed accordingly, thereafter.

The Court expects that while considering the case of



petitioner No.22, a hyper technical approach should not be taken by the Principal Secretary, Scheduled Caste and Scheduled Tribe Welfare Department since the matter relates to career of a student belonging to Scheduled Tribe, who appears to have ventured to take up Engineering Course under the impression that he will be getting assistance from the State Government/Union Government.

This application stands disposed of accordingly.

**(Chakradhari Sharan Singh, J)**

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