

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.10177 of 2015
Date of Decision:-24.01.2017

Arezo

..... Petitioner

Vs.

Union of India and others

..... Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present:- Ms.Nidhi, Advocate, for
Mr.S.S. Behl, Advocate,
for the petitioner.

Mr.Vivek Singla, Advocate, for the respondent-UOI.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is filed to challenge the letters dated 16.11.2012 and 27.3.2015 by which the Indian Council for Cultural Relations has suspended the scholarship already granted to the petitioner without any notice or hearing.

Learned counsel for the respondent/UOI has submitted that though opportunity of hearing was given but the date on which it was given is not known. However, it is also submitted that the scholarship, given to the petitioner, under the Scheme, namely, Special Scholarship Scheme for Afghan Nationals [SSSAN] by the Ministry of External Affairs was for the better education to the youths of Afghanistan, had to be suspended, because the petitioner was found involved in criminal activity because of which FIR

No.62 dated 18.10.2012 was registered against her under Sections 379 and 420 IPC at Police Station GRP, Chandigarh.

Learned counsel for the petitioner has submitted that not only the impugned order letter dated 27.03.2015 is silent about the reason for suspension of the scholarship but also the petitioner had already been acquitted in the said criminal case, may be on the basis of compromise between the parties concerned.

After hearing both the learned counsel for the parties and examining the available record, it is found that the impugned order has been passed without giving any reason which is contrary to the basic principle of natural justice.

Consequently, the impugned order is set aside and the case is remanded back to the competent authority to pass a fresh order after giving an opportunity of hearing to the petitioner and taking into consideration the fact that the petitioner has been acquitted in the criminal case which was the basis for the suspension of the scholarship granted to her.

Petition stands disposed of.

The petitioner is directed to appear before the competent authority i.e. Director General, ICCR, New Delhi on 16.02.2017. The competent authority is directed to hear the petitioner and then decide about the suspension of her scholarship.

24.01.2017

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No