

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4274 of 2017

=====

Kusum Raj Pvt. Industrial Training Institute, situated at Rajdev Nagar Moriyawan, P.S. Bakram, District Patna through its Principal Incharge namely Vinay Kumar, Son of Ram Bhawan Verma, resident of Village Akhtiyarpur, P.S. Bihta, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar represented through Chief Secretary, Govt. of Bihar, Patna.
2. The Secretary Scheduled Castes and Scheduled Tribes Welfare Department Govt. of Bihar, Patna.
3. The District Welfare Officer, Patna.
4. The Union of India, through the Secretary, Ministry of Social Justice and Empowerment, Shastri Bhawan, New Delhi.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Bimal Kumar Mr. Dhananjay Kumar
For the Respondent/s	:	Mr. KAUSHAL KR JHA-AAG8
For Union of India	:	Dr. Punam Kumari Singh

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 10-01-2018 Heard learned counsel for the parties.

2. The matter relates to grant of post matric scholarship for students belonging to Scheduled Castes. It is being claimed that the petitioner is a privately run Industrial Training Institute in which students belonging to the Scheduled Castes are studying, who are entitled to post matric scholarship. Under the scheme, the scholarship amount is to be released by the State Government. The grievance of the petitioner is that whereas in respect of certain number of students of the I.T.I, the State Government has released the requisite amount for payment of



fees etc, in respect of other only part payment has been released whereas in respect of the rest, no amount at all has been released.

3. The matter relates to grant of post matric scholarship to the students belonging to Scheduled Castes. If the State Government is not releasing the fund for payment of scholarship, the beneficiary could have a grievance and not the Institution.

4. My attention has been drawn to an order of this Court, dated 15.12.2016, passed in CWJC No. 11305 of 2016 (Pawan Kumar and ors. Vs. State of Bihar and others) from which it appears that through circular dated 16.05.2016, the amount of the scholarship has been reduced. The Court has, however, held in the said decision dated 15.12.2016, that the effect of the said circular dated 16.05.2016, shall be prospective only and shall apply to the financial year 2015-16. The Court specifically held that from the financial year prior to 2015-16, the State Government will have the obligation to pay scholarship in terms of previous circular and by the rate, which was prescribed them.

5. Considering the best interest of the students belonging to Scheduled Castes category, I dispose of the writ application



with an observation that Respondent No.2 shall ensure that the amount of scholarship which is due, is released in favour of the students in accordance with the scheme keeping in mind the Court's decision dated 15.12.2016, passed in CWJC No. 11305 of 2016. The Respondent No.2 shall be obliged to ensure compliance of the present order within two months from the date of receipt/presentation of a copy of this order.

6. This application stands disposed of.

(Chakradhari Sharan Singh, J)

arun/-

U			
---	--	--	--

