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

**CWP No.10471 of 2017 (O&M)
Decided on 03.10.2018**

Anil Kumar

Petitioner

Versus

Bank of Baroda, Northern Zone, Karnal region, Namastay Chowk, Karnal
and another

Respondents

* * *

**CORAM : HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AVNEESH JHINGAN**

Present : Mr. J. S. Chahal, Advocate
for the petitioner.

Ms. Geeta Sharma, Advocate
for the respondents.

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AVNEESH JHINGAN, J.

The present writ petition has been filed seeking direction to the respondents to verify the Left Thumb Impression of the petitioner taken at the time of written examination and for direction to the respondents to waive the education loan of the petitioner as the respondent-bank had already waived of such loans of the students who got admission alongwith petitioner under the reserved category of *Jat* community. Further prayer is made for seeking direction to the respondents to return the original testimonials i.e. Certificates of 10th, 12th, Graduation, MBA etc.

2. Bank of Baroda, Northern Zone, Karnal region, Karnal and Bank of Baroda, G.T. Road, Panipat have been arrayed as respondents

No.1 to 2 respectively in the writ petition.

3. The petitioner applied for one year Post Graduation Diploma in Banking & Finance course in Baroda Manipal School of Banking for the session 2014-15. He applied under the reserved category of Other Backward Classes (OBC). The date of examination was fixed as 14.08.2014. He was offered admission vide letter dated 15.04.2015. The petitioner deposited original certificates of 10th, 12th, B.A. and M.B.A. The petitioner applied for study loan under Baroda Manipal School scheme of the respondent-bank and the same was approved. The loan was for a tenure of seven years. On successful completion of Post Graduate Diploma and after completion of five years of active service in the bank, the petitioner was to be reimbursed the entire course fee.

4. The admission of the petitioner was cancelled vide letter dated 03.12.2015 on the ground that Supreme Court in the case of Ram Singh & Others Vs. Union of India-Writ Petition (Civil) No.274/2014 set aside and quashed the notification by which *Jat* community was included in Common Central List of other backward classes for the States of Bihar, Gujarat, Haryana, Himachal Pradesh, Madhya Pradesh, NCT of Delhi, Bharatpur and Dhaulpur District of Rajasthan, Uttar Pradesh and Uttarakhand.

5. On cancellation of the admission, the petitioner approached the respondents to return the original certificates. The respondents issued a letter dated 13.12.2015 for submission of undertaking/indemnity bond for release of original certificates. A notice dated 13.01.2016 was issued to the petitioner that the petitioner himself did not appear in the examination but there was impersonation.

6. Aggrieved of the non-returning of the certificates and

issuance of show cause notice, the present writ petition has been filed.

7. Notice of motion was issued.

8. Today, learned counsel for the petitioner produced a No Dues Certificate dated 18.09.2018 issued by the respondent-bank. The certificate is taken on record. As per the certificate, education loan account of the petitioner has been closed and no dues are pending. The account has been settled under the "Lakshya-MSME" scheme for Rs.1,36,000/-.

9. Learned counsel for the petitioner submitted that the petitioner has deposited Rs.1,36,000/- as per the settlement scheme and thereafter No Dues Certificate has been issued by the respondent-bank.

10. Learned counsel appearing for the respondent-bank sought time to verify the certificate.

11. In view of the certificate produced by learned counsel for the petitioner, the writ petition is disposed of with a direction to the respondents that in case the loan account of the petitioner has been settled and there are no other encumbrances in returning the original testimonials, the original certificates be returned to the petitioner within a period of 15 days from today.

(AJAY KUMAR MITTAL)
JUDGE

(AVNEESH JHINGAN)
JUDGE

October 03, 2018
pankaj baweja

Whether speaking/reasoned: Yes / No

Whether reportable : Yes / No