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

**CWP No.2378 of 2018
Decided on : 23.08.2018**

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Gaini Sardara Singh Gill Foundation, Moga

Petitioner

Versus

State of Punjab and others

Respondents

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

Present : Dr. Anmol R. Sidhu, Sr. Advocate with
Mr. Mahir Sood, Advocate and
Mr. G.S. Ghuman, Advocate
for the petitioner.

Mr. Harsimran Singh Sethi, Addl. A.G. Punjab and
Ms. Ishneet Kaur, Asstt. A.G. Punjab

Mr. Dheeraj Jain, Senior Counsel
for Union of India.

Mr. Arun K. Vasudeva, Advocate for
Mr. S.S. Bhinder, Advocate
for respondent No.3.

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AVNEESH JHINGAN, J.

The present writ petition has been filed seeking direction to the respondents No.1 and 2 to release the pending claim of ₹9,83,68,560/- payable to the petitioner in terms of scheme of Central Government of Scholarship Fee payable to the students of Scheduled Caste/Other Backward Classes (for short 'SC/OBC') category, selected under Post Matric Scholarship Scheme.

2. The petitioner is an educational Society having main object

of running educational Institutions.

3. State of Punjab; Director, Scheduled Castes and Scheduled Tribe Welfare Department; Maharaja Ranjit Singh Punjab Technical University, Bathinda and Union of India through Ministry of Social Justice and Empowerment, have been arrayed as respondents No.1 to 4 respectively, in the writ petition.

4. The petitioner is running three educational institutions in the State of Punjab. The institutions at present are affiliated with respondent No.3.

5. Government of India issued a scheme called '*The Post Matric Scholarship Scheme*' (hereinafter referred to as 'the scheme') for providing financial assistance to S.C. Students. As per the scheme, the students who belong to SC category, so specified in relation to the State/Union Territory to which the applicants belong and the income of whose parents is below ₹2.5 lakhs per annum, were to be given scholarships.

6. The grievance raised is that the petitioner had admitted the students eligible under the Scheme but the respondents have not reimbursed the scholarship.

7. On notice, learned counsel for the State contended that the notice has been issued to the petitioner in July 2018 for verification of the scholarships claimed for the Scheduled Caste candidates. It was further submitted that until the verification is over, question of reimbursement will not arise.

8. Learned counsel for the petitioner stated that the notice has been received in July 2018 and reply to the same has also been

sent.

9. Without expressing any opinion on the merits of the case, the writ petition is disposed of with a direction that the petitioners would appear before the Deputy Controller, Finance & Accounts, Punjab in his office at Chandigarh on 20.09.2018 and thereafter as and when directed. The Deputy Controller, Finance & Accounts, Punjab would decide the matter in accordance with law after affording an opportunity of personal hearing to the petitioners. A decision must be taken at the earliest but not later than 30.11.2018.

10. The writ petition is, accordingly, disposed of.

(AJAY KUMAR MITTAL)
JUDGE

(AVNEESH JHINGAN)
JUDGE

23.08.2018
pankaj baweja

Whether speaking/reasoned: Yes / No
Whether reportable : Yes / No