IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

LPA-248-2020 (O&M)
Date of decision:- 24.02.2020

Union of India

...Appellant

Versus

Parveen Rani and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present:- Mr. O.P. Dabla, Senior Counsel,
for the appellant – Union of India.

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RAVI SHANKER JHA, C.J. (ORAL)

Heard learned counsel for the appellant – Union of India on the question of condonation of delay as well as on admission.

This appeal has been filed by the appellant – Union of India on the ground that no direction could have been issued to it to pay more than what has already been released to the State of Punjab in terms of the scheme relating to providing Post Matric Scholarship for Other Backward Class (OBC) students studying in India.

It is submitted that the learned Single Judge has committed an illegality in directing the appellant to directly pay the amount to the students, whereas there is no such provision in the scheme.

We have heard learned counsel for the appellant and have also examined the judgement of the learned Single Judge.

From a perusal thereof, it is apparent that the learned Single Judge has taken note of the statement made by learned counsel for the appellant - Union of India to the effect that on receipt of a complete proposal from the State Government, the Union of India would take necessary steps for

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grant of necessary funds for the year 2018-2019 and on that basis the learned Single Judge has observed that the authorities of the State of Punjab would submit a complete proposal to respondent No. 1 within three months from the date of the order for release of grant under the PMS-OBC Scheme for the year 2018-2019 and on receipt of the same, respondent No. 1 would take steps to release the grant as per policy to the State Government expeditiously.

Apparently, no direction has been issued to the appellant - Union of India to release the funds directly to the State Government or the students concerned. The learned Single Judge has only observed that on a complete proposal being submitted by the State Government for the year 2018-2019, the Union of India would process the same in accordance with the policy expeditiously.

In the circumstances, we are of the considered opinion that the appeal filed by the appellant – Union of India is totally misconceived. For the same reason, we also do not find any sufficient cause to condone the delay of 124 days in filing the appeal.

As a consequence, CM-655-LPA-2020 for condonation of delay in filing the appeal stands dismissed and as a consequence thereof, the appeal filed by the appellant – Union of India also stands dismissed.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

24.02.2020
Amodh

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

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