

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No.40620 of 2021

Satya Narayan Pradhan

.....

Petitioner

Mr. B. Pradhan, Adv.

Vs.

Union of India and others

.....

Opposite Parties

Mr. P.K. Parhi, ASGI

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE S.K. MISHRA

ORDER

05.08.2022

Order No.

01.

This matter is taken up by hybrid mode.

2. Heard Mr. B. Pradhan, learned Counsel for the Petitioner; and Mr. P.K. Parhi, learned Assistant Solicitor General of India appearing for the Union of India-Opposite Parties.

3. The Petitioner has filed this Writ Petition assailing the action of the Opposite Parties in treating first two years of integrated B.A. L.L.B. course as non-Professional Course and consequential denial of benefit of Prime Minister's Scholarship Scheme, which he otherwise is entitled.

4. Mr. B. Pradhan, learned Counsel appearing for the Petitioner contended that this question has already been considered by this Court in *Rahul Pradhan vs. Union of India represented through Secretary, Ministry of Defence, South Block, New Delhi and three others*, 2016 (I) OLR 735 and this Court, after due adjudication, has come to a definite conclusion that the degree offered in 5 year integrated law course i.e. B.A. LLB, BBA-LL.B., B.Com-LLB and B.SC. LL.B. are "integrated courses" and not "dual degree" courses as claimed. Therefore, the 5 year integrated law courses are clearly professional course, which have been designed by the Bar Council of India for advancing integrated law courses and also duly recognized by the U.G.C. In view of such position, the students prosecuting 5 years

law degree programmes, ought to have been considered for the scholarship, since the aim and objective of the scheme is beneficial in nature and it is targeted to benefit the dependent wards/widows of Ex-Servicemen and Ex-Indian Coast Guard Personnel. Consequently, this Court observed that making five year integrated law course ineligible would be depriving many of such persons otherwise entitled to be deprived from pursuing courses in law. Thereby, while disposing the Writ Petition, this Court directed the Kendriya Sainik Board to include 5-year LLB integrated course as a professional course for which scholarship ought not to be denied in the Scheme.

7. In the above view of the matter, once this Court has already held that 5-year LL.B course as a professional course, treating the first two years as non-professional course by the Authority vide Annexure-7, cannot sustain in the eye of law and the observation made to that extent in Annexure-7, also cannot sustain. As such, the Petitioner is entitled to Prime Minister's Scholarship for a period of five years integrated B.A. LLB. Course, which he is prosecuting in National Law University Odisha (NLUO).

8. With the aforesaid observation and direction, the Writ Petition stands disposed of.

Issue urgent certified copy as per Rules.

(DR. B.R. SARANGI)
JUDGE

Ashok/Padma

(S.K. MISHRA)
JUDGE