

CWP No.11587 of 2023

2023:PHHC:077156

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

CWP No.11587 of 2023

Date of Decision: 26.05.2023

RIMT Maharaja Aggarsen Eng. College

.....Petitioner

Versus

State of Punjab and Ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vishal Gupta, Advocate for the petitioner.

Mr. Ferry Sofat, Additional A.G, Punjab.

VIKAS BAHL , J (ORAL)

1. This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the recovery notice dated 01.12.2021 (Annexure P-8) issued by respondent No.3 whereby a sum of Rs.16,98,196/- alongwith interest @ 9% has been sought to be recovered from the petitioner College on account of the amount of scholarship for the period from 2014-15 to 2016-17 under the Post Matric Scholarship Scheduled Castes Scheme.

2. Learned counsel for the petitioner has submitted that in pursuance of the notice dated 01.12.2021 (Annexure P-8), the petitioner has submitted a detailed reply dated 11.01.2022 (Annexure P-9) and has thus prayed that in case any further proceeding is to be initiated, then, the same be done after taking into consideration the reply filed by the petitioner and after passing a speaking order on the same.

3. Learned State counsel has submitted that before proceeding any further in the matter, respondent No.3 would consider the reply filed by the petitioner dated 11.01.2022 (Annexure P-9) and in case the pleas raised by the petitioner are found to be meritless, then, a speaking order rejecting the claim of

the petitioner would be passed in accordance with law.

4. Learned counsel for the petitioner has submitted that in view of the stand taken by the learned State counsel, he seeks to withdraw the present writ petition, but prays that the respondents-State be bound by the said statement.

5. In view of the above, the petitioner is permitted to withdraw the present writ petition and the same is dismissed as withdrawn.

6. Respondents-State would be bound by the statement made before this Court.

7. It is made clear that this Court has not opined on the merits of the case and the respondent authorities would consider and decide the matter independently, in accordance with law.

May 26, 2023
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(VIKAS BAHL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No