

120

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

CWP-13080-2023

Date of decision: 03.07.2023

Satyam Institute of Management & Technology

...Petitioner

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sameer Sachdeva, Advocate for the petitioner.

Mr. Satya Pal Jain, Additional Solicitor General of India with
Mr. Dheeraj Jain, Advocate for respondent No.1-UOI.

Mr. Ferry Sofat, Addl. A.G. Punjab
for respondent Nos.2 and 3.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of a writ, order or direction against the action/inaction of the respondents, whereby the claim of eligible students of the petitioner-institute qua post matric scholarship under the scheme of Post Matric Scholarships to the students belonging to SC for the session 2020-2021 and 2021-2022 (as per List Annexures P-2 and P-3) has not been granted.

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner, the petitioner has submitted a detailed

representation dated 18.12.2022 (wrongly mentioned as 18.09.2022 in Annexure P-4) and he would be satisfied in case, respondent Nos.1 and 2 considers the same and in case, pleas raised by the petitioner are found to be meritorious then necessary relief be also granted to the petitioner in a time bound manner.

3. Learned State Counsel has submitted that as per his instructions, relief, in accordance with law has already been granted and it is only some of the persons who are not eligible regarding which the relief has not been granted. He has however, submitted that the representation would be considered and in case, any relief is due to the petitioner-Institute then the same would be granted in accordance with law and in case, same is not due then a speaking order rejecting the claim would be passed after giving an opportunity of hearing to the petitioner.

4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with following directions:-

- a) Respondent Nos.1 and 2 would independently consider the representation dated 18.12.2022 (Annexure P-4) (wrongly mentioned as 18.09.2022) with respect to the respective arrears within a period of six weeks from the date of receipt of certified copy of the present order.
- b) In case, respondent Nos.1 and 2 are of the opinion that the pleas raised by the petitioner are meritorious and deserve to be accepted then necessary relief would be granted to the petitioner as expeditiously as possible preferably within a period of three months from the date of receipt of certified

copy of the present order.

- c) In case, respondent Nos.1 and 2 are of the opinion that the pleas raised by the petitioner in the representation (Annexure P-4) are not meritorious then a speaking order rejecting the claim of the petitioner be passed within a period of two months from the date of receipt of certified copy of the present order.
- d) The Authorities would also give a proper opportunity of hearing to the petitioner after serving notice upon the petitioner-Institute for a specific date and the petitioner is directed to fully cooperate with the authorities in expeditious disposal of the same.

5. It is made clear that this Court has not opined on the merits of the case and respondent No.1 and 2 would decide the matter and consider the same independently and in accordance with law.

03.07.2023

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- **Yes/No**

Whether reportable:- **Yes/No**