

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-1885-2024
Date of decision : 30.01.2024

Arya Institute of Management and Technology

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Rahul Sharma, Advocate
for the petitioner.

Mr.Kunal Muthreja, AAG, Punjab.

Mr.Satya Pal Jain, Additional Solicitor General of India with
Ms.Gurmeet Kaur Gill, Sr.Panel Counsel for UOI-
respondent no.4

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to release the amount of Rs.81,98,271/- being the amount due to the petitioner-college under the scheme of Post Matric Scholarships to the students belonging to scheduled castes for the financial years 2017-2020.
2. Learned counsel for the petitioner has submitted that the respondent authorities have not even released 40% of the scholarship amount with respect to the petitioner-college from 2017-18 to 2019-20 although the petitioner-college is fully eligible for the same and regarding the same, the petitioner has given representation dated 01.12.2023

(Annexure P-7) to the competent authority of respondent no.1-State and no decision has been taken on the same. It is further submitted that at this stage, the petitioner would be satisfied in case the said representation is considered by the competent authority of respondent no.1 in a time bound manner and if after considering the same, in case, the plea raised by the petitioner is found to be meritorious, then necessary relief be granted to the petitioner.

3. Learned Additional Solicitor General appearing for respondent no.4 has submitted that as per their instructions, they have already released the amount of their share under the scheme to the State Government and it is for the State Government to pay the same to the petitioner-college.

4. Learned State counsel has submitted that the competent authority of respondent no.1 would consider the said representation and decide the same within a period of 2 months from the date of the receipt of certified copy of the present order.

5. Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to the competent authority of respondent no.1 to consider the representation dated 01.12.2023 (Annexure P-7) of the petitioner and decide the same, in accordance with law, as expeditiously as possible, preferably within a period of 2 months from the date of the receipt of certified copy of the present order and in case, after considering the same, the plea of the petitioner is found to be meritorious, then necessary relief be granted to the petitioner and in case, the plea of the petitioner is not found to be meritorious, then a speaking order rejecting the same be passed within a period of 2 months from the date of the receipt of certified copy of the present order.

6. It is made clear that this Court has not opined on the merits of the case and the competent authority of respondent no.1 would consider and decide the representation independently, in accordance with law.

(VIKAS BAHL)
JUDGE

January 30, 2024
Davinder Kumar

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