

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-35049-2019(O&M)
Date of decision : 01.03.2024

Palak Bagga

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

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

Ms.Neha Sonawane, DAG, Punjab.

Mr.Naresh, Advocate for
Mr.K.S. Dadwal, Advocate
for respondent no.4.

Mr.Gaurav Chopra, Senior Advocate with
Mr.Jaskaran Singh, Advocate
for respondent no.5.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondent to decide the representation dated 28.11.2019 (Annexure P-11) of the petitioner for opening the portal to apply for the welfare scheme i.e., Dr.Ambedkar Post Metric Scholarship Scheme. Other prayers have also been made in the present writ petition.
2. Learned counsel for the petitioner has submitted that the issue primarily in the present writ petition was with respect to the payment of fee to respondent no.5-institute and on the said aspect, an amicable settlement

has been arrived at and the petitioner has undertaken to pay the balance amount of Rs.46,63,930/- latest by 31.10.2024 and a post dated cheque dated 31.10.2024 has been given by the petitioner to Mr.Jaskaran Singh, Advocate, appearing for respondent no.5 along with Mr.Guarav Chopra, Senior Advocate. A photocopy of the said cheque has also been handed over to this Court, which is taken on record as Mark A. Learned counsel for the petitioner has filed an affidavit of the petitioner's mother, which is taken on record as Mark B, and as per which the mother of the petitioner has submitted that the said cheque has been given by the petitioner as security and she would pay the balance amount by 31.10.2024 and in case of default, respondent no.5-institute would be at liberty to present the said cheque for encashment and also take action as per law regarding continuation of the internship of the petitioner. Learned counsel for the petitioner has further submitted that the amount of Rs.2,15,000/- towards hostel charges would also be cleared on or before 31.10.2024. It is stated that in view of the above said undertaking and affidavit filed by the mother of the petitioner, the petitioner be permitted to continue with her internship with respondent no.5-institute in the course uninterrupted.

3. Learned senior counsel appearing for respondent no.5 has submitted that the said undertaking given by the petitioner and his mother satisfies the claim of respondent no.5 at this stage. It is submitted that respondent no.5-institute would permit the petitioner to continue with her internship with respondent no.5-institute, but in case of there being any default in the payment of balance amount, as undertaken before this Court, then appropriate action, in accordance with law, including non-continuance of internship of the petitioner with the respondent no.5-institute, would be

taken by respondent no.5.

4. Keeping in view the abovesaid facts and circumstances and joint statement made on behalf of the petitioner and respondent no.5, the present petition is disposed of as having been rendered infructuous. Both parties would be bound by the statement made before this Court.

5. This Court appreciates the fair stand taken on behalf of the petitioner as well as respondent no.5.

6. Pending application, if any, stands disposed of in view of the abovesaid order.

(VIKAS BAHL)
JUDGE

March 01, 2024
Davinder Kumar

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