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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-35-2024
Date of decision: 08.01.2024

Anmol Bangar ...Petitioner
Versus
State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Gagandeep Kaur, Advocate for the petitioner.
Mr. Ferry Sofat, Addl. A.G. Punjab.

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 respondents to release the Degree Certificate of the petitioner.
2. Learned counsel for the petitioner has submitted that the petitioner belongs to Scheduled Castes Community and had been given admission under Post Matric Scholarship Scheme in pursuance of letter dated 12.08.2015 (Annexure P-9) and Notification dated 22.07.2016 (Annexure P-10). It is further submitted that respondent No.4-University is not releasing the degree of the petitioner on the ground that some fees is pending from the petitioner. Learned counsel for the petitioner has relied upon *judgment dated 20.09.2023* passed by this Court in case bearing No.*CWP-19728-2021 titled as Meena Kumari Vs. State of Punjab and others and other connected matter*, to contend that in such a situation, respondent No.4 cannot withhold the degree only on the ground that fees has not been paid inasmuch as the said fee is to be reimbursed by the State Government. It is also submitted that inadvertently,

the said plea has not been taken in the earlier legal notice dated 14.07.2022 and has submitted that the petitioner be permitted to give a fresh representation to respondent No.4 taking all the pleas available to the petitioner and has prayed that at this stage, the petitioner would be satisfied, in case, respondent No.4 is directed to take a decision on the said representation in a time bound manner and in case, the pleas raised by the petitioner are found to be meritorious then to grant necessary relief in accordance with law.

3. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with observations that the petitioner is permitted to file a fresh detailed representation before respondent No.4 giving all the detailed facts and also after annexing the judgment passed by this Court in the case of **Meena Kumari** (Supra) and respondent No.4 is directed to consider the same in accordance with law within a period of six weeks from the date of receipt of certified copy of the present order and in case, the pleas raised by the petitioner are found to be meritorious then respondent No.4 would grant necessary relief, in accordance with law and in case, respondent No.4 is of the opinion that the pleas raised by the petitioner are not meritorious then a speaking order rejecting the same be passed within a period of six weeks from the date of receipt of certified copy of the present order.

4. This Court has not opined on the merits of the case and respondent No.4 would consider the case of the petitioner independently, in accordance with law.

08.01.2024*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:- Yes/No****Whether reportable:- Yes/No**