

**(2016) 01 P&H CK 0003**  
**In the Punjab And Haryana At Chandigarh**  
**Case No : CWP No. 25427 of 2015 (O&M)**

Harpreet Singh

APPELLANT

Vs

Union of India

RESPONDENT

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**Date of Decision :** 29-01-2016

**Acts Referred:**

Constitution of India, 1950 — Article 14, Article 226

**Citation :** (2017) 2 SCT 273

**Hon'ble Judges :** Rajesh Bindal, J.

**Bench :** Single Bench

**Advocate :** Nakul Sharma and Satbir Rathore, Advocates, for the Petitioner; Ms. Rajvinder Kaur, Advocate, for the Respondent 4 (in CWP No. 12277 of 2015); M.S. Sachdev, Advocate, for the Respondent No. 3; Anil Sharma, Addl. A.G., Punjab, for the Respondent; B.S. Kanw

**Final Decision :** Disposed Off

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## Judgement

Rajesh Bindal, J. - This order will dispose of a bunch of petitions bearing CWP Nos.25427,25429,25432 to 25434, 25441 to 25446, 25450 to 25460, 25468 to 25470, 25481, 12277, 16151, 17997, 27540, 27578 and 27579 of 2015 as common questions of law and facts are involved therein. However, facts have been extracted from CWP No. 25427 of 2015.

2. The petitioners herein are the students admitted in various courses in CT Institute of Technology. They claim that they belong to Other Backward Classes and are entitled to certain benefits in terms of scheme of Post Matric Scholarships framed by the Government of India for Other Backward Class students, which has not been paid.

3. Prayer is for a direction to the authorities to disburse the amount of scholarship to the petitioners, so as to enable them to deposit the same as fee with the institute where they are studying. Learned counsels for the Union of India submitted that the scheme was revised w.e.f 01.07.2011 and whatever benefits the students will be entitled to, the same will be disbursed to them on

verification of the claim submitted by Government of Punjab and on completion of all necessary formalities therefor.

4. Learned counsel for the State of Punjab submitted that for the year 2012-13, whatever amount was claimed by the State under the scheme has been received from the Government of India and consequently disbursed to all the eligible students. For the year 2013-14, the State had submitted a claim of Rs. 73 crore to the Government of India, however, no amount has been received. For the year 2014-15 claim of Rs. 128 crore was submitted but nothing has been received from Government of India. For the year 2015-16 claim of Rs. 156 crore was submitted and a sum of Rs. 19.23 crore have been received and the same is in the process of disbursement.

5. After hearing learned counsel for the parties, in my opinion, the present petitions can be disposed of at this stage with a direction to the Government of India to disburse the claim made by the State Government in terms of the scheme, providing for certain benefits to the Other Backward Classes students, who are studying in various courses after matriculation. The stand of the State is that it had made a claim to the Government of India but the amount has not been disbursed. If the claim of the State is found to be in order, the Government of India will disburse the amount claimed within a period of three months. The time limit of three months will start from the date entire formalities are completed by the State. In case any other information is required by Government of India, the same shall be apprised to the State within one month, so as to enable it to complete the formalities required. It is also directed that the State will not unnecessarily keep the matter pending with it. In case any query is raised by Government of India, the same shall be responded to without any delay.

6. As far as disbursement of the amount is concerned, it shall be ensured that the amount is not mis-utilized and goes to the persons eligible under the scheme.

The petitions stand disposed of.