pIN THE HIGH COURT FOR THE PANJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 16915 of 2020

**Amended memo of Parties**

Ms. Jyoti (aged 25 years) d/o Sh. Surender resident of House no. 543, near U.C.O. Bank ,Julana Distt. Jind, presently student of BAMS, fourth year in M.S.M. Institute of Ayurveda , Khanpur (Sonipat) -------------- Petitioner

Versus

**1.** State of Haryana through itsFinancial Commissioner-cum- Principal Secretary to Government Haryana, Welfare of Scheduled Castes and Backward Classes, Department , New Secretariat Haryana, Sector 17 Chandigarh.

2. The Director-General, Welfare of Scheduled Castes and Backward Classes Department, Haryana, S.C.O. No. 42-44, Haryana, Sector 17-A Chandigarh.

3. The Registrar, BPS Mahila Vishwavidyalaya, Khanpur-Kalan-( Sonipat.)

4. Principal of MSM Institute of Ayurveda, Khanpur Kalan (Sonipat).

5. Distt. Welfare Officer , Sonipat.

6. Director, Directorate of Medical Education and Research, Haryana Sector-2 , Panchkula -------------Respondents

Chandigarh SURESH AHLAWAT

Dated: 2.9.2021 Advocate

Counsel for the Petitioner

CIVIL WRIT PETITION under Articles 226/227 of the Constitution of India for the issuance of a writ in nature of Mandamus be issued, directing the respondents to release the Post Matric Scholarship/stipend (S.C. Category students), to the petitioner for the session 2018-19 and 2019-2020 forthwith, In terms of the policy of the Annexure –P-1 .

*RESPECTFULLY SHOWETH*

**1.** **That** the petitioner is a resident of District Jind (Haryana) and as such being a citizen of India, she is fully competent to invoke the extraordinary writ jurisdiction of this Hon’ble Court under Articles 226/227 of the Constitution of India by way of the present writ petition.

**2. That**  Central Govt. formulated a scheme/policy in 2010 to provide the post matric scholarship to the poor students for the each academic session belonging to the Scheduled Cast family, whose income is less then Rs. two lakh per annum. It was/is the duty of the State govt. to implement this policy effectively according to own circumstances, further in 2018, Central Govt. again modified/ improved and extended its scope. Mother of the petitioner is a widow and laborer and her income from all source is less than Rs. one lakh per year. Father of the petitioner already died than policy is squarely covered this case . A copy policy to provide the post matric scholarship launch by the state/ central govt. .for the poor students of S.C. category attached herewith as **Annexure P-1.**

**3. That** now petitioner is the student of BAMS 5th year in MSM Institute of Ayurveda, Khanpur –Kalan (Sonipat) .She had enrolled in the year July- 2015 after passed 10+2 (Medical) class and belongs to Scheduled Cast family (S.C.) . She used to apply for the post matric scholarship every year being a Scheduled Cast student according to policy of Haryana Government. But she got only one year (1st year of BAMS) scholarship i.e Rs. 67,000- for the session 2015-16 with in time which is not disputed. After the annual examination, petitioner was promoted next session 2016-17 i.e 2nd year of BAMS Course and she further applied on line for Post matric scholarship of Rs. 67,000/- for the next session but the respondents failed to pay the scholarship of the 2nd year session 2016-17, reasons to known them but no deficiency was on the part of the petitioner in her documents further petitioner promoted after her examination ,in next academic session 2017-18 i.e 3rd yea but again respondents failed to pay the scholarship of that year/ session than petitioner represented the respondents that she is very poor girls student and her mother is widow and she is not competent to pay the college fee and hostel fee but respondents did not pay any heed than petitioner constrained to file the writ petition no 6317 of 2019 in this Hon’ble Court in March -2019 which was disposed of by this Hon’ble Court on 8.3.2019 and Hon’ble Court directed the respondents that this would be released to the petitioner in any case with in a period of 8 weeks from today. Than respondents immediately complied the said order and paid the due amount to the petitioner. Copy of order passed by Hon’ble Court on 8.3.2019 is attached herewith as **Annexure P-2.**

**4. That** in the next session 2018-19 of the 4th year of BAMS Course , petitioner further applied on line for the post matric scholarship through proper channel vide her application I.D. no.P.M.S.2001224. A copy of this application form is attached herewith as **Annexure P-3** .

5. That now next academic session 2019-20 (last year) of the petitioner is nearing complete but the respondents did not invite the application of Post Matric scholarship for the session 2019-20 of poor students in SC category in Haryana till date. Than petitioner served the legal notice through her counsel on 8.9.2020 to the respondents to release the last two PMS for the session 2018-19 and 2019-20 than respondent no 2 gave reply in response that respondent no 5 is competent to give its reply on befall of the respondent 2 for the notice received from Advocate. In this way, respondent no 2 escaped from its liability and burden shifted on respondent no.5 . Than respondent no.5 gave its reply on 17.9.2020 of the legal notice dated 8.9.2020 that post matric scholarship for the session 2018-19 is “no action at medical and medical allied courses” and session 2019-20 status is zero. Copies of legal notice dated 8.9.2020 and its reply dated 17.9.2020 are attached herewith as **Annexure P-4 and 5** respectively.

It is pertinent to mention here that in the legal notice P-4 post matric scholarship for the session 2018-19 inadvertently omitted.

**6. That** the respondents is not releasing post matric scholarship for the i.e session 2018-19 and 2019-20 .Annual examinations have been completed . But respondents is not released the post metric scholarship so far. Mother of the petitioner who is widow, after taking the loan @2% p.m. from near dear then paid the all dues of the college i.e fee hostel charges etc. for the session two session i.e 2018-19and 2019-20 . Relatives of petitioner contacted on mobile phone to the respondent no.5 i.e D.W.O. Sonipat, she verbally told them that matter is under consideration in the head office at Chandigarh .

7. **That** father of the petitioner already died and her mother is a laborer there is no source of income of her family, Now her mother is not in a position to clear the loan after taking from money lender. Due to Pandemic COVOD-19, her family is badly suffering due to non source of income of daily wages . It is very hard for her family to pay the loan amount which is rising every month without getting any scholarship .Now near dear are demanding to return the said loan with interest .

**8. That** this matter has been hanging fire since then (2018). Denial of the said benefit to the petitioner has led to a long and tortuous road to justice.

**9.** That the following main law points arise in this writ petition for the kind consideration of this Hon’ble Court:-

a) Whether the action of the respondents is arbitrary and discriminatory which violative of Articles 14 and 16 of the Constitution of India?

b) Whether a grave manifest injustice has been caused to the petitioner?

**10.**  That there is no other alternative remedy of appeal or revision available to the petitioner except to approach this Hon’ble Court by way of the present writ petition under Articles 226/227 of the Constitution of India.

**11.** That the petitioners have not filed any such or similar writ petition previously either in this Hon’ble Court or in the Hon’ble Supreme Court of India for seeking the same relief against the impugned action of the respondents.

PRAYER

It is, therefore, respectfully prayed that this Hon’ble Court may be pleased to call for the records of the present case and after perusal thereof may be pleased to issue: -

**i)**  writ in nature of Mandamus be issued, directing the respondents to release the Post Matric Scholarship/stipend ( S.C. Category students) to the petitioner for the session 2018-19 and 2019-2020 forthwith . , in terms of the policy Annexure –P-1

**ii)** Any other appropriate writ, order or direction be also issued which this Hon’ble Court may deem fit, just and proper in the peculiar facts and circumstances of this case and to which the petitioner is found entitled in law justice and equity.

**iii)** Service of advance notices upon the respondent be dispensed with.

**iv)** Filing of true typed of annexures and certified copy of annexures be also dispensed with;

CHANDIGARH Through:

DATED: 4.10.2020 **(SURESH AHLAWAT)**

**ADVOCATE**

**Counsel for the petitioner.**

*VERIFICATION*

Verified that the contents of Para No. 1 to 8 and 10 to 11 of the writ petition are true and correct to my knowledge. Legal submissions made in para Nos. 9 are believed to be true on the advice received from the learned Counsel. No part of it is false and nothing has been kept concealed there from.

CHANDIGARH

DATED:- 4. 10.2020

IN THE HIGH COURT FOR THE PANJAB AND HARYANA AT CHANDIGARH

C.W.P. No. of 2020

Ms Jyoti ----------- Petitioner

VERSUS

State of Haryana and others -----------Respondents

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Sir. No, | Particulars | Date | Pages |  |
| 1 | List of Events | 4.10.2222020 | 1-2 |  |
| 2. | Civil Writ Petition | 4.10.2020 | 3-8 | 50.00 |
| 3 | Affidavit | .10.2020 | 9 |  |
| 4 | Annexure P-1 (Policy) | 2010/2018 | 10-34 | 15.60 |
| 5 | Annexure P-2 (High Court Order) | 8.3.2019 | 35-36 | 3.00 |
| 6 | Annexure P-3 (Application form ) | -------- | 37-38 | 2.00 |
| 7. | Annexure P-4 (Legal Notice) | 8.9.2020 | 39-40 | 2.00 |
| 8. | Annexure P-5  ( its Reply) | 17.9.2020 | 41 | 1.00 |
| 9. | Power of Attorney | 6.9.2020 | 42 | 3.00 |

Total 76.60

NOTE:

1. Similar case if any: CWP no.6317 of 2019 (Annexure P-2)

. 2. That the main law points involved in the writ petition are contained in para no. at page no.

3. Relevant Statutes/Rules:

i.The Constitution of India.

ii. Scheme of Post Matric scholarship for SC students

4. Caveat petition filled :- No.

**Chandigarh SURESH AHLAWAT**

**Dated: 4.10.2020 Advocate**

**Counsel for the Petitioner**

IN THE HIGH COURT FOR THE PANJAB AND HARYANA AT CHANDIGARH

C.W.P. No. of 2020

Ms Jyoti ----------- Petitioner

VERSUS

State of Haryana and others -----------Respondents

**Affidavit** of Jyoti d/o Sh. Surender resident of House no. 543, near U.C.O. Bank ,Julana Distt. Jind, presently student of BAMS, 5th year in M.S.M. Institute of Ayurveda , Khanpur (Sonipa I, the above named deponent, do hereby solemnly affirm and declare as under:-

1. That the contents of paras of the petition are true and correct to my knowledge No part therein is false and nothing material has been kept concealed therein.

2. That no such or similar petition has been filed by the deponent either in this Hon’ble Court or before the Hon’ble Supreme Court of India.

CHANDIGARH

DATED:- 10 . 2020

VERIFICATION: Verified that the contents of paras of my above affidavit are true and correct to my knowledge . No part of it is false and nothing has been concealed therein.

CHANDIGARH

DATED . 10 .2020

**LIST OF EVENTS**

**That**  Govt. of Haryana formulated a scheme/policy to provide the post matric scholarship to the students belonging to the Scheduled Cast family, whose income is less then Rs. two lakh per annum.

**That**  Petitioner had enrolled in the year 2015 after passing 10+2 (Medical) class and belongs to Scheduled Cast family now petitioner is the student of BAMS 5th /last year in MSM Institute of Ayurveda Sonipat .

**Session 2015-16** Petitioner got post matric scholarship i.e Rs. 67,000- for the session 2015- 16(1st year of BAMS) without any difficulty .

**Session 2016-17**

Petitioner further applied on line for Post matric scholarship of Rs. 67,000/- for the next session 2016-17 i.e 2nd year of BAMS course which was not paid for the said session.

**Session 2017-18**

Petitioner further applied on line for the post matric scholarship (3rd year of BAMS Course) , through proper channel which was not paid within time, than petitioner constrained to file the CWP 6317 of 2019 to release the PMS for two sessions i.e 2016-17 and 2017-18.

Respondents immediately complied the order and released the scholarship for the two sessions .

**Session 2018-19**

Petitioner applied for the PMS on line through proper channel (4th year of BAMS Course) , but respondents did not pay the scholarship of that session.No reason has been given .

**Session 2019-20**

Respondents did not invite the application form on line till date and last year (i.e. 5th year of BAMS Course) of her cadmic session has been completed .

Now Post Matric scholarship (PMS) of two sessionsi.e. 2018-19 and 2019-20 has not been paid to the petitioner .Mother of the Petitioner who is the widow and very poor lady , paid the all dues of the college after taking the loan to near dear.

That this matter has been hanging fire since then.

Hence this writ petition.

**Chandigarh SURESH AHLAWAT**

**Dated: 4.10.2020 Advocate**

**Counsel for the Petitioner**

SURESH AHLAWAT CHAMBER NO.62

ADVOCATE Pb.& Har. High Court ,Chandigarh

94171-11917 # 413/11 Panchkula

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To

1. Director-General

Welfare of Scheduled Castes & Backward Classes Department

Govt. of Haryana, 30 Bays Building, Sector- 17 Chandigarh.

1. District Welfare Officer

Sonipat

**Legal Notice:-** Reg. for grant of Post Matric Scholarship/stipend to SC/BC students for the year **2019-20.**

**SIR,**

Under the instruction and on behalf of my client namely **Ms. Jyoti d/o Late Sh. Surender , student of BAMS Final Year/ 4rd year M.S.M. Institute of Ayurveda, (BPS M.V. Khanpur Kalan,) Sonipat.**

I hereby serve upon following Legal Notice- cum- justice demand notice for your kind consideration and sympathetically action please:-

1. **That**  my client Miss Jyoti is the student of BAMS final/4th year in MSM Institute of Ayurveda (B.P.S. M.V. Khanpur –Kalan) Sonipat .She had enrolled in the year 2015 and belongs to Scheduled Cast family (S.C.) .My client applied on line through proper channel for the post matric scholarship scheme for the past three session being a Scheduled Cast student according to policy of Govt. (Class Roll No. 2210538516) and last three years, she have got the scholarship but now new academic session 2019-20 had started from April-2019 and come to end in the month of August-2020 .Annual examinations have been completed . But your good office is not released the post metric scholarship so far. Mother of my client who is widow after taking the loan @2% p.m. from money lender and then paid the all dues of the college i.e fee hostel charges etc. for the session 2019-20 . Relatives of my client also met to the official of your good office and they told verbally to them that matter is under consideration .

2. **That** father of my client already died and her mother is a laborer there is no source of income of her family, Now her mother is not in a position to clear the loan after taking from money lender. Due to Pandemic COVOD-19, her family is badly suffering due to non source of income of daily wages . It is very hard for her family to pay the loan amount which is rising every month without getting any scholarship .Now Money lender is demanding to return the said loan with interest and is harassing and humiliating her mother continuously .

Under the peculiar facts and circumstances of the case stated above, I hereby call upon you to consider the genuine request of my client to grant of Post Matric Scholarship/stipend with interest @ 2 p.m. to SC/BC students for the year 2019-20 **within 15 days** from the date of receipt of this notice failing which my client shall be constrained to move the Hon’ble Court for initiating legal proceedings under the against you, for which you will be liable in all respect.

**Note:-** A copy of this legal notice has been retained in my office for record and further necessary action , if need be.

IN THE HIGH COURT FOR THE PANJAB AND HARYANA AT CHANDIGARH

C.W.P. No. of 2019

Ms. Jyoti (aged 20 years) d/o Sh. Surender resident of House no. 543, near U.C.O. Bank ,Julana Distt. Jind, presently student of BAMS,3rd year in MSM Institute of Ayurveda , Khanpur (Sonipat) --------------------- Petitioner

Versus

**1.** State of Haryana through itsFinancial Commissioner-cum- Principal Secretary to Government Haryana, Welfare of Scheduled Castes and Backward Classes, Department , New Secretariat Haryana, Sector 17 Chandigarh.

2. The Director-General, Welfare of Scheduled Castes and Backward Classes Department, Haryana, S.C.O. No. 42-44, Haryana, Sector 17-A Chandigarh.

3. The Registrar, BPS Mahila Vishwavidyalaya, Khanpur-Kalan-( Sonipat.)

4. Principal of MSM Institute of Ayurveda, Khanpur Kalan (Sonipat).

5. Distt. Welfare Officer , Sonipat.

-------------Respondents

Chandigarh SURESH AHLAWAT

Dated: 5. 3.2019 Advocate

Counsel for the Petitioner

CIVIL WRIT PETITION under Article 226/227 of the Constitution of India for the issuance of a writ in nature of Mandamus be issued, directing the respondents to release the Post Matric Scholarship/stipend of S.C./B.C. Cat. students to the petitioner for the session 2016-17 and 2017-2018. , in terms of the policy Annexure –P-1 .

*RESPECTFULLY SHOWETH*

**1.** **That** the petitioner is a resident of District Jind (Haryana) and as such being a citizen of India, she is fully competent to invoke the extraordinary writ jurisdiction of this Hon’ble Court under Articles 226/227 of the Constitution of India by way of the present writ petition.

**2. That**  Govt. of Haryana formulated a scheme/policy in 2010 to provide the post matric scholarship to the students belonging to the Scheduled Cast family, whose income is less then Rs. two lakh per annum. Mother of the petitioner is a laborer and her income from all source is less than Rs.88000/- per year. Father of the pet. already died than policy is squarely covered this case . A copy policy to provide the post matric scholarship is attached herewith as **Annexure P-1.**

**3. That** now petitioner is the student of BAMS 3rd year in MSM Institute of Ayurveda, Khanpur –Kalan (Sonipat) .She had enrolled in the year 2015 after passed 10+2 (Medical) class and belongs to Scheduled Cast family (S.C.) . She used to apply for the post matric scholarship every year being a Scheduled Cast student according to policy of Haryana Government. But she got only one year (1st year of BAMS) scholarship i.e Rs. 67,000- for the session 2015-16. Petitioner further applied on line for Post matric scholarship of Rs. 67,000/- for the next session 2016-17 i.e 2nd year of BAMS course and her application form was also forwarded by the college to R&S Branch of B.P.S MahilyaVishwavidyaly Khanpur vide letter no. ins/Aur/17/509 dated 7.4.2017. A copy of this letter dated 7.4.2017 is attached herewith as **Annexure P-2** .

**4. That** in the next session 2017-18 of the 3rd year of BAMS Course , petitioner further applied on line for the post matric scholarship through proper channel vide her registration no. R 172762615163 and all the application forms were forwarded to R & S Branch of the BPS MV Khanpur for further process vide letter no. MSM/Inst. Ayur/18/2889 dated 30.1.2018 after online verified by the institute . A copy of this letter dated 30.1.2018 is attached herewith as **Annexure P-3** .

**5. That** the respondents is not released for the two session post matric scholarship i.e 2016-17 and 2017-18 till date. Relatives of petitioner also met to the official of respondents and they told verbally to them that matter is under consideration .Petitioner through her college and her counsel has already submitted representations and legal notice dated 10.7.2018 to respondents. One of the copy of legal notice dated 10.7.2018 is attached herewith as **Annexure P-4.**

**6.** But official of the university replied the said notice on 10.8.2018 that Scholarship form of Ms Jyoti d/o Sh. Surender for the session 2016-17 has been forwarded to Distt. Welfare Officer Sonipat vide letter no. BPSMV/17/696 dt. 10.4.2017 (F/A) and scholarship for the session 2017-18 has been verified online and scholarship amount will be credited in student’s bank account . But respondents has not released the post matric scholarship under the Govt. Scheme for the last two years till date. Copy of reply dated 10.8.2018 of the legal notice is attached herewith as **Annexure P-5.**

**7. That** petitioner has also filed a complaint in CM Window. Nodal officer of CM Grievance Cell replied vide letter dated 27.3.2018 that yours claim is under consideration before the concerned department .

**8. That** the after waiting some time petitioner again sent the legal notice through her counsel on 15.1.2019 . Respondents again replied the said notice that matter is pending before the Distt. Welfare office Sonipat. Copies of the second legal notice dated 15.1.2019 and its rely dated 22.1.2019 are attached herewith as **Annexure P-6 and 7** respectively.

**9.** **That** father of petitioner is a laborer his income is less than 88000/- per year .It is very hard for her/him to pay full college and hostel fees every year without getting any scholarship .

**10. That** this matter has been hanging fire since then. Denial of the said benefit to the petitioner has led to a long and tortuous road to justice.

**11.** That the following main law points arise in this writ petition for the kind consideration of this Hon’ble Court:-

a) Whether the action of the respondents is arbitrary and discriminatory which violative of Articles 14 and 16 of the Constitution of India?

b) Whether a grave manifest injustice has been caused to the petitioner?

**12.**  That there is no other alternative remedy of appeal or revision available to the petitioner except to approach this Hon’ble Court by way of the present writ petition under Articles 226/227 of the Constitution of India.

**13.** That the petitioners have not filed any such or similar writ petition previously either in this Hon’ble Court or in the Hon’ble Supreme Court of India for seeking the same relief against the impugned action of the respondents.

PRAYER

It is, therefore, respectfully prayed that this Hon’ble Court may be pleased to call for the records of the present case and after perusal thereof may be pleased to issue: -

**i) a** writ in nature of Mandamus be issued, directing the respondents to release the Post Matric Scholarship/stipend of SC/BC to the petitioner for the session 2016-17 and 2017-2018. , in terms of the policy Annexure –P-1

**ii)** Any other appropriate writ, order or direction be also issued which this Hon’ble Court may deem fit, just and proper in the peculiar facts and circumstances of this case and to which the petitioner is found entitled in law justice and equity.

**iii)** Service of advance notices upon the respondent be dispensed with.

**iv)** Filing of true typed of annexures and certified copy of annexures be also dispensed with;

CHANDIGARH Through:

DATED: 5.3.2019 **(SURESH AHLAWAT)**

**ADVOCATE**

**Counsel for the petitioner.**

*VERIFICATION*

Verified that the contents of Para No. 1 to 10 and 12 to 13 of the writ petition are true and correct to my knowledge. Legal submissions made in para Nos. 11 are believed to be true on the advice received from the learned Counsel. No part of it is false and nothing has been kept concealed there from.

CHANDIGARH

DATED:- 5. 3 .1.2019

IN THE HIGH COURT FOR THE PANJAB AND HARYANA AT CHANDIGARH

C.W.P. No. of 2019

----------- Petitioner

VERSUS

State of Haryana and others -----------Respondents

**Affidavit**

I, the above named deponent, do hereby solemnly affirm and declare as under:-

1. That the contents of paras of the petition are true and correct to my knowledge No part therein is false and nothing material has been kept concealed therein.

2. That no such or similar petition has been filed by the deponent either in this Hon’ble Court or before the Hon’ble Supreme Court of India.

CHANDIGARH

DATED:- . 2019

VERIFICATION: Verified that the contents of paras of my above affidavit are true and correct to my knowledge . No part of it is false and nothing has been concealed therein.

CHANDIGARH

DATED . .2019

**LIST OF EVENTS**

**That**  Govt. of Haryana formulated a scheme/policy to provide the post matric scholarship to the students belonging to the Scheduled Cast family, whose income is less then Rs. two lakh per annum.

**2015 That** now petitioner is the student of BAMS 3rd year in MSM Institute of Ayurveda Sonipat .She had enrolled in the year 2015 after passed 10+2 (Medical) class and belongs to Scheduled Cast family

**Session 2015-16** But she got only one year (1st year of BAMS) scholarship i.e Rs. 67,000- for the session 2015-16 Petitioner further applied on line for Post matric scholarship of Rs. 67,000/- for the next session 2016-17 i.e 2nd year of BAMS course

**Session 2017-18** of the 3rd year of BAMS Course , petitioner further applied on line for the post matric scholarship through proper channel vide her registration no. R 172762615163

**That** the respondents is not released for the two session post matric scholarship i.e 2016-17 and 2017-18 till date.

**16.7.2018** Petitioner through her counsel has already submitted the notice to respondents.

**10.8.2018**  Official of the university replied the said notice on 10.8.2018 that Scholarship form of Ms Jyoti d/o Sh. Surender for the session 2016-17 has been forwarded to Distt. Welfare Officer Sonipat vide letter no. BPSMV/17/696 dt. 10.4.2017 (F/A) and scholarship for the session 2017-18 has been verified online and scholarship amount will be credited in student’s bank account . But respondents has not released the post matric scholarship under the Govt. Scheme for the last two years till date.

**27.3.2018** petitioner has also filed a complaint in CM Window. Nodal officer of CM Grievance Cell replied vide letter dated 27.3.2018 that yours claim is under consideration before the concerned department .

**15.1.2019 That** the after waiting some time petitioner again sent the legal notice through her counsel on 15.1.2019 .

**22.1.2019** Respondents again replied the said notice that matter is pending before the Distt. Welfare Officer Sonipat.

That this matter has been hanging fire since then.

Hence this writ petition.

**Chandigarh SURESH AHLAWAT**

**Dated: 5.3.2019 Advocate**

**Counsel for the Petitioner**

IN THE HIGH COURT FOR THE PANJAB AND HARYANA AT CHANDIGARH

C.W.P. No. of 2019

Ms Jyoti - ------------- Petitioner

VERSUS

State of Haryana and others ----------- Respondents

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| A | Court Fee |  |  |  |
| 1. | List of Date & Events | 5.3.2019 | 1-2 |  |
| 2. | Civil Writ Petition | 5.3.2019 | 3-8 | 50.00 |
| 3. | Affidavit in Support | .3.2019 | 9 |  |
| 4. | **ANNEXURE P-1**  (Copy of Policy) | 00.00.2010 | 10-12 | 1.95 |
| 5. | **ANNEXURE P-2** (Copy of Letter) | 7.4..2017 | 13-14 | 1.30 |
| 6. | **ANNEXURE P-3** ( Copy of Letter) | 30.1.2018 | 15 | 0.65 |
| 7. | **ANNEXURE P-4** ( Legal Notice ) | 16.7.2018 | 16-17 | 1.30 |
| 8. | **ANNEXURE P-**5 ( Reply ) | 10.8.2018 | 18 | 0.65 |
| 9 | **ANNEXURE P-**6 ( Legal Notice) | 15.1.2019 | 19-21 | 1.95 |
| 10 | **ANNEXURE P-7** ( Reply) | 22.1.2019 | 22 | 0.65 |
| 11 | **Power of Attorney** | 20.6.2018 | 23 | 2.75 |

NOTE: 61.20

1. That the main law points involved in the writ petition are contained in para no. 11 at page no.

2. Relevant Statutes/Rules:

i. The Constitution of India.

ii. Scheme of Post Matric scholarship for Sc/Bc

3 Caveat petition filled :- No.

1. Similar case if any: No

**DECLARATION**

The copies, as required by rule 16 of Chapter I Part A(a) of the Rules and Orders of Punjab and Haryana High Court, Volume-V, have been served upon----------- (the person upon whom the copies have been served)----------- at-----------(time) on-----------(date) in--------(place).

CHANDIGARH  **(SURESH AHLAWAT)**

DATED: 5.3.2019 **ADVOCATE**

**COUNSEL FOR THE PETITIONER**

SURESH AHLAWAT CHAMBER NO.62

ADVOCATE Pb.& Har. High Court ,Chandigarh

94171-11917 # 413/11 Panchkula

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To

1. Director-General

Welfare of Scheduled Castes & Backward Classes Department

Govt. of Haryana, 30 Bays Building, Sector- 17 Chandigarh.

1. District Welfare Officer

Sonipat

**Legal Notice:-** Reg. for grant of Post Matric Scholarship/stipend to SC/BC students for the year **2019-20.**

**SIR,**

Under the instruction and on behalf of my client namely **Ms. Jyoti d/o Late Sh. Surender , student of BAMS Final Year/ 4rd year M.S.M. Institute of Ayurveda, (BPS M.V. Khanpur Kalan,) Sonipat.**

I hereby serve upon following Legal Notice- cum- justice demand notice for your kind consideration and sympathetically action please:-

1. **That**  my client Miss Jyoti is the student of BAMS final/4th year in MSM Institute of Ayurveda (B.P.S. M.V. Khanpur –Kalan) Sonipat .She had enrolled in the year 2015 and belongs to Scheduled Cast family (S.C.) .My client applied on line through proper channel for the post matric scholarship scheme for the past three session being a Scheduled Cast student according to policy of Govt. (Class Roll No. 2210538516) and last three years, she have got the scholarship but now new academic session 2019-20 had started from April-2019 and come to end in the month of August-2020 .Annual examinations have been completed . But your good office is not released the post metric scholarship so far. Mother of my client who is widow after taking the loan @2% p.m. from money lender and then paid the all dues of the college i.e fee hostel charges etc. for the session 2019-20 . Relatives of my client also met to the official of your good office and they told verbally to them that matter is under consideration .

2. **That** father of my client already died and her mother is a laborer there is no source of income of her family, Now her mother is not in a position to clear the loan after taking from money lender. Due to Pandemic COVOD-19, her family is badly suffering due to non source of income of daily wages . It is very hard for her family to pay the loan amount which is rising every month without getting any scholarship .Now Money lender is demanding to return the said loan with interest and is harassing and humiliating her mother continuously .

Under the peculiar facts and circumstances of the case stated above, I hereby call upon you to consider the genuine request of my client to grant of Post Matric Scholarship/stipend with interest @ 2 p.m. to SC/BC students for the year 2019-20 **within 15 days** from the date of receipt of this notice failing which my client shall be constrained to move the Hon’ble Court for initiating legal proceedings under the against you, for which you will be liable in all respect.

**Note:-** A copy of this legal notice has been retained in my office for record and further necessary action , if need

IN THE HIGH COURT FOR THE PANJAB AND HARYANA AT CHANDIGARH

C.M. no. of 2021

C.W.P. No. 16915 of 2020

Ms Jyoti ----------- Petitioner

VERSUS

State of Haryana and others -----------Respondents

Court Fee

CHANDIGARH  **(SURESH AHLAWAT)**

DATED 2.9.2021 **ADVOCATE**

**COUNSEL FOR THE PETITIONER**

**SURESH AHLAWAT Ch. No.62,**

**ADVOCATE HIGH COURT**

**PUB. & HAR. HIGH COURT CHANDIGARH**

**# 413/11 Pkl.. Contact No. 94171-11917**

**-----------------------------------------------------------------------------------------------------------------------------------------------------------------------**

Ref.No**.** Dated: . 2020

**INTERNSHIP CERTIFICATE**

This is to certify that Mr. Ayush Loomba Student of B.A. LL.B (Hons.) First Year at Institute of O.P.Jindal Global University, Sonipat has successfully completed internship under my supervision and guidance w.e.f. 15 July to –14 Aug-2020, during this course of internship, he witnessed several civil as well as criminal case proceedings through Video Conference (due to Corona Covid-19,pendamic) in Punjab and Haryana High Court at Chandigarh . As an intern he has also done research work on law points and judgment on various nature of cases.

During the period of internship, I found that Mr. Ayush Loomba is a laborious student, having keen interest in legal issues and carries good moral character along with punctuality and seriousness towards the responsibilities allocated to him . Further , I wish him all the best for his further endeavours.

SURSH AHLAWAT

ADVOCATE

IN THE HIGH COURT FOR THE PANJAB AND HARYANA AT CHANDIGARH

C.M. No. of 2021

IN C.W.P. no. 16915 of 2020

Ms Jyoti ----------- Petitioner

VERSUS

State of Haryana and others -----------Respondents

Application under Order 1 Rule 10 of C.P.C. praying for impleading the Director, Directorate of Medical Education and Research ,Haryana Panchkula as necessary party in the memo of parties (as respondent no.6)

RESPECTFULLY SHOWETH:-

1. That the above titled writ petition is pending in this Hon’ble Court and is **now is fixed for 30.9.2021 .**
2. That on 1.9.2021 respondents filed the reply of this case and submitted in para no.4 that all the applications of Post Metric Scholarship of the Academic year 2018-19 of the Medical students studying in Haryana transferred to be dealt with by the Director, Directorate of Medical Education and Research ,Haryana Panchkula . Than Director, Directorate of Medical Education and Research ,Haryana is the necessary party to impleade it as respondent no.6 .

It is, therefore, respectfully prayed that this application may kindly be allowed and petitioner may kindly be permit to

impleading the Director, Directorate of Medical Education and Research ,Haryana Panchkula as necessary party in the memo of parties (as respondent no.6) in the interest of justice.

NOTE :- That the complete and up to date memo of parties is attached after ascertaining from Registry.

CHANDIGARH

DATED:- 14.9.2021 SURESH AHLAWAT

ADVOCATE

COUNSEL FOR THE PETITIONER

IN THE HIGH COURT FOR THE PANJAB AND HARYANA AT CHANDIGARH

C.M. No. of 2021

IN C.W.P. no. 16915 of 2020

**Ms Jyoti ----------- Petitioner**

VERSUS

State of Haryana and others -----------Respondents

N D E X

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| --- | --- | --- | --- |
| S.  No. | Particulars | Date | Pages |
| 1. | Application u/ Order 1 Rule 10 of C.P.C for impleading the party  2. A Affidavit 8.9. | 2.9.2021  14.9.2021 | 1-2  3 |

3. Amended Memo of Parties 2.9.2021 4

Power of Attorney already on record

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CHANDIGARH

DATED:-2.9.2021 SURESH AHLAWAT

ADVOCATE

COUNSEL FOR PETITIONER

IN THE HIGH COURT FOR THE PANJAB AND HARYANA AT CHANDIGARH

C.M. No. of 2021

IN C.W.P. no. 16915 of 2020

**Ms Jyoti ----------- Petitioner**

VERSUS

State of Haryana and others -----------Respondents

Affidavit of Suresh Ahlawat Advocate, Punjab and Haryana High Court, Chandigarh

I, the above named deponent do hereby solemnly affirm and declare asunder:-  
 That the contents of the accompanying application for the above mentioned case are admitted to be true and correct.

Place:

Dated:

Verification :

Verified that the contents of my above affidavit are true and correct to my knowledge. No part of it is false and nothing has been kept concealed therein.

Place:

Date:-