



RAJASTHAN HIGH COURT

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

सत्यमेव जयते

S.B. Civil Writ Petition No.11023/2025

Aditya S/o Shri Dinesh, Aged About 27 Years, R/o Housing Board, Madanganj-Kishangarh, District Ajmer, Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through The Principal Secretary, Department Of Higher Education, Government Rajasthan, Government Secretariat, Jaipur.
2. Commissionerate Of College Education, Rajasthan Jaipur, Block-4, Rks Sankul, Jln Road, Jaipur Rajasthan Through Its Commissioner.

-----Respondents

For Petitioner(s)	:	Ms. Nikitha Bhandari
For Respondent(s)	:	Mr. Sachin Rathore & Mr. Divanshu Gupta for Mr. S.S. Naruka, AAG

JUSTICE ANOOP KUMAR DHAND

Order

14/08/2025

Reportable

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Prelude:-

1. Now-a-days, the price of higher education is on the rise. According to the National Center for Education Statistics, the cost of tuition, fees, and boarding at private Colleges and Universities are increasing day-by-day in our country as well as in foreign Colleges and Universities. It may be difficult and tough for the general public to keep up with the escalating expenditures for Education now-a-days. Scholarship helps the students to pay for the education by providing financial assistance. The grant of Scholarship may help some of the students and their families to bridge the financial gaps. The Scholarship may help the students to receive the education which they would not otherwise be able to pursue. For many students, Scholarships are more than just financial aid.

2. There are several sorts of Scholarships that students can apply for. The student who excels in academics, sports or creative pursuits may be eligible for Scholarship to certain Universities and Colleges.

3. Education has become one of the most valuable and costly pursuits in today's society. Scholarships emerge as the most preferred kind of financial help in this situation.

4. Scholarships are more than the financial aids; they are life changing opportunities. They empower the needy, deserving and brilliant students to dream, their parents to hope and the communities to grow. Scholarships cater the deserving and worthy students with different strengths, needs and ambitions.

5. A Scholarship is a lump-sum amount of money provided to a student to help him or her to pay for the education. Students are



getting scholarship on the basis of their academic achievements, while the other students are rewarded on the basis of their financial needs who are not able to pursue higher studies at top level University/ College because of financial crisis. In any event, every Scholarship must include pre-requisition, which are characteristics that a student must possess in order to be considered for the award.

6. The concept and object of Scholarship is to grant financial aid to the students who are in need of the same. Most High School graduates seek financial help in order to pursue a career that involves several years of study, therefore, the Scholarships are especially vital for deserving students.

7. Swami Vivekananda Scholarship for Academic Excellence Scheme is an initiative of the Government of Rajasthan, for the students planning to pursue the Undergraduate, Postgraduate, Ph.D., and Post-Doctoral research programs abroad. Formerly known as the "Rajiv Gandhi Scholarship for Academic Excellence", this scheme aims to provide scholarships to the residents of Rajasthan, pursuing higher studies in any subject/ course at a top-ranked university/ institution. This includes the top Universities globally and top institutions in India. ull tuition fees and living expenses are received by the selected students, as per their category under the Scholarship Scheme. The Government of Rajasthan has allocated 200 seats for awarding Scholarships each year. The Government has strictly clarified that any sort of false/ misleading information provided during the application process, shall lead to the disqualification of the candidates.



8. The benefits under this Scheme are divided into three categories, i.e., E1, E2, and E3 and the said categories are further divided as per the academic requirements, i.e., Tuition Fees & Living Expenses. The category of the students is determined on the basis of the annual income of the family of the students and the same is mentioned as below:-

For E1: Annual income less than 8 Lakhs

For E2: Annual income between 8 to 25 Lakhs

For E3: Annual income more than 25 Lakhs

E1, E2 & E3 Categories define distinct income brackets that determine the level of financial assistance awarded in each category. Candidates of E1 category are entitled to get more benefits under the Scheme.

Factual Matrix:-

9. By way of filing this writ petition, a challenge has been led to the impugned order dated 20.03.2025 issued by the respondents by which the application submitted by the petitioner seeking scholarship under the Swami Vivekananda Scholarship for Academic Excellence Scheme for category E-1 has been rejected.

Contentions of the Petitioner:-

10. Learned counsel for the petitioner submits that as per Swami Vivekananda Scholarship for Academic Excellence Scheme issued by the Commissionerate of College Education, in the month of May, 2024, an application was submitted by the petitioner for receiving scholarship under category E-1 on 23.05.2024. Learned counsel submits that certain objections were raised by the respondents on 05.07.2024 and the same were cured vide e-mail



dated 10.07.2024 and, thereafter, on subsequent dates, again certain objections were raised and the same were cured immediately. Learned counsel submits that the last objection was raised by respondents on 26.09.2024 and the same was also cured on 26.09.2024 itself and, thereafter, the respondents kept the matter in abeyance for a period of more than three months and finally the provisional selection letter dated 06.12.2024 was issued in favour of the petitioner by the Commissionerate of College Education for grant of the benefit of scholarship. Learned counsel submits that, in the meantime, the petitioner also received the offer letter for pursuing M.Sc. Management from the Leeds University Business School, University of Leeds, United Kingdom. Learned counsel submits that the aforesaid course has commenced w.e.f. 16.09.2024 but subsequently, the scholarship application submitted by the petitioner was rejected by the Commissionerate of College Education on 20.03.2025. Learned counsel submits that there was no delay on the part of the petitioner in curing the objections, raised by the respondents in his application. Learned counsel submits that, under these circumstances, the impugned rejection order passed by the respondents be quashed and a direction be issued to the respondents to award scholarship to the petitioner under the category E-1 of the Swami Vivekananda Scholarship for Academic Excellence Scheme.

Contentions of the Respondents:-

11. *Per contra*, learned counsel for the respondents opposed the submissions raised by learned counsel for the petitioner and submitted that the petitioner is in service and he has not resigned



from his institution, prior to one month of commencement of the course. Learned counsel submits that the petitioner was supposed to resign from the post that he was holding on or before 16.08.2024, hence, under these circumstances, the respondents have rejected the application submitted by the petitioner. Learned counsel further submits that application submitted by the petitioner was found to be defective and several objections were raised by the respondents, which were cured by the petitioner finally on 26.09.2024 and, thereafter, he was selected for provisional grant of scholarship on 06.12.2024. Learned counsel submits that a delay has occurred on account of the petitioner for which the respondents cannot be blamed and the petitioner, under the changed circumstances, is not entitled to receive scholarship and the instant writ petition is liable to be rejected.

Discussions, Analysis & Findings:-

12. Heard and considered the submissions made at the Bar and perused the material available on record.

13. Perusal of the record indicates that certain guidelines have been framed by the respondents for receiving the scholarship under category E-1 of Swami Vivekananda Scholarship for Academic Excellence Scheme and as per the terms and conditions prescribed under the Clause 6 (vi) thereof, if a person serving in fields other than under the State and Central Government, or any of their undertakings, is desirous to receive scholarship under the Swami Vivekananda Scholarship for Academic Excellence Scheme, he is supposed to resign from his post prior to one month from the commencement of the course. In the instant case, the petitioner



had submitted his application on 23.05.2024 and at the relevant time, the petitioner was employed with an institution.

14. This fact is not in dispute that the course of the petitioner was supposed to start w.e.f. 16.09.2024 at Leeds University Business School, University of Leeds United Kingdom. This fact is not in dispute that the petitioner submitted an application well within time, seeking benefit of the above scholarship on 23.05.2024 under the Category E-1. The first objection was raised by the respondents on 05.07.2024 and the same was cured on 10.07.2024 and thereafter, several objections were raised by the respondents on 08.07.2024, 26.07.2024, 21.07.2024, 28.08.2024, 29.08.2024 and 26.09.2024.

15. The documents which were made available for perusal of the Court indicate that whenever the objections were raised, the same were rectified/cured by the petitioner and the final objection which was raised on 26.09.2024, was also cured on the same day and in the meantime, the course of the petitioner at the Leeds University Business School, University of Leeds, United Kingdom started on 16.09.2024. The respondents kept silent for a period of around three months and, on 06.12.2024, the petitioner was provisionally selected for receiving the benefits of the Swami Vivekananda Scholarship for Academic Excellence Scheme under the category E-1.

16. Now the respondents have rejected the application of the petitioner vide impugned order dated 20.03.2025 on the technical count that the petitioner has failed to furnish his resignation letter one month prior to commencement of his course.



17. This Court is unable to understand as to how a person, like the petitioner, is expected to resign/submit the relieving letter prior to his selection. The petitioner has submitted the application in the month of May, 2024 and the respondents kept on raising objections from time to time in between 05.07.2024 to 26.09.2024, whereas in fact the respondents could have raised all kinds of objections whatsoever in one instance and then and then only asked the petitioner to cure/rectify the same, but instead of doing so, on several dates, different kinds of objections were raised by the respondents between 05.07.2024 to 26.09.2024. The record reveals that several objections were pointed out by the respondents, and the petitioner has also partially rectified/cured the same. Instead of raising several objections on different dates, the respondents could have raised all kinds of objections on the first date, i.e., 05.07.2024, hence, delay has been caused on the part of the respondents due to which the petitioner has been deprived from receiving the benefits of the scholarship and the petitioner has been made to suffer for no fault of his own.

18. Until the petitioner receives provisional selection letter in his favor for getting scholarship, he cannot be asked and compelled to furnish the relieving letter/tender his resignation from the company where he was working/ serving.

Conclusion and Directions:-

19. Keeping in view all the above facts and circumstances, the impugned order passed by the respondents is liable to be and is hereby quashed and set-aside.

20. Since, the earlier academic session would be completing soon, i.e., on 15.09.2025, it would not be now possible for the



petitioner to get admission in back date and pursue the course and complete his studies.

21. It has been apprised to the Court that now the petitioner has applied for the new session in the same University for the same course, which is going to be commenced from 15.09.2025 and the same would be completed on 14.09.2026.

22. In view of the above factual aspect of the matter, in case, the petitioner resigns from his present place of employment and submits his resignation letter/relieving letter in the office of respondents within a period of seven days, it is expected from the respondents to release scholarship to the petitioner under Category E-1 prior to the date of commencement of the course, i.e., 15.09.2025.

23. In view of the discussion made hereinabove, the instant writ petition stands disposed of with the above direction.

24. Stay application as well as all applications (pending, if any) also stand disposed of.

25. No order as to costs.

(ANOOP KUMAR DHAND),J

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