



**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

D.B. Civil Writ Petition No. 3604/2024

Swaim Sevi Shikshnik Sansthan Sanrakshan Sanstha, Nohar,
District Hanumangarh Through President Gaurishankar Sihag S/o
Shri Pratap Singh Age 62 Years, By Caste Jat Resident Of Ward
No. 18, Nohar Tehsil Nohar, District Hanumangarh (Raj.).

-----Petitioner

Versus

1. The State Of Rajasthan, Through Secretary, Department Of College Education, Govt. Of Rajasthan, Secretariat, Jaipur.
2. Maharaja Ganga Singh University, Bikaner, Through Its Registrar.
3. Union Of India, Through Secretary, Department Of Finance, New Delhi.

-----Respondents

For Petitioner(s)	:	Mr. Vijay Jain
For Respondent(s)	:	Mr. Praveen Khandelwal, AAG Mr. DD Chitlangi Mr. Rajvendra Saraswat

**HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI
HON'BLE MR. JUSTICE MUNNURI LAXMAN**

Order

06/03/2024

1. Issue notice.
2. Mr. Praveen Khandelwal, learned AAG is directed to accept notice on behalf of the respondent no.1; Mr. DD Chitlangi is directed to accept notice on behalf of the respondent no.2 and Mr. Rajvendra Saraswat is directed to accept notice on behalf of the respondent no.3, which they accept and seek some time to complete their instructions. Hence, service is complete.



3. Learned counsel for the parties states that on the same facts and ground, an interim order was passed by a Division Bench of this Court on 19.07.2023 in D.B. Civil Writ No.6867/2023 (Choudhary Parmaram Godara Agriculture College Vs. Union of India). The order reads as under :-

1. *IN DBCWP No.6867/2023, Mr. Rajvendra Sarswat is appearing on behalf of respondent Nos.1, 3 and 5. Hence, service is complete.*
2. *Learned counsel for the respondents have submitted that this Court, while issuing notices to the respondents have passed interim orders to the effect that the respondent-University shall not cause any hindrance in the admission process undertaken by the petitioner-institutions.*
3. *It is also submitted that the controversy involved in these writ petitions is regarding non-payment of GST by the petitioner- institutions. It is further submitted that in D.B. Civil Writ Petition No.7559/2022, a Co-ordinate Bench of this Court has already clarified that the interim orders in favour of the petitioner- institutions would be operative subject to deposit of GST amount by them.*
4. *Learned counsels for the petitioner-institutions are not in a position to dispute the above fact situation.*
5. *In such circumstances, the interim orders passed in writ petitions No.7701/2023, 6732/2023, 7702/2023 and 7284/2023 are modified to the extent that the respondent-University shall not cause any hindrance in admission process undertaken by the petitioner-institutions subject to the condition that the GST amount, as demanded, is paid by them.*
6. *List these writ petitions on 04.04.2024.*
7. *The GST amount so paid by the petitioner-institutions is liable be refunded in case the writ petitions are allowed.*



8. *A copy of this order be placed in each file.*
9. *Learned counsels for the petitioners are directed to supply copy of the writ petitions to the respective counsel for the respondents.*
4. The afore-quoted interim order shall also operate in favour of the petitioner-institution and the respondent-University shall not cause any hindrance in admission process undertaken by the petitioner-institutions subject to the condition that the GST amount, as demanded, is paid by them.
5. List the matter on 04.04.2024 along with D.B. Civil Writ Petition No.6867/2023.
6. The GST amount so paid by the petitioner-institution is liable be refunded in case the writ petition is allowed.
7. Learned counsel for the petitioner is directed to supply copy of the petition to the respective counsel for the respondents.

(MUNNURI LAXMAN),J

(DR. PUSHPENDRA SINGH BHATI),J

35-Sudheer/-