

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.14058 of 2015 (O&M)
Date of Decision:-11.08.2015

I.P.J. College of Education

..... Petitioner

Vs.

National Council for Teacher Education and others

..... Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: - Mr.Babbar Bhan, Advocate,
for the petitioner.

Mr.Anurag Goel, Advocate,
for respondent No.1 & 2.

Mr.Ashist Rawal, Advocate,
for respondent No.3.

Mr.Tribhuwan Dahiya, Advocate,
for respondent No.4.

RAKESH KUMAR JAIN, J. (ORAL)

The petitioner-institute has filed this petition seeking a direction to the respondents to communicate the affiliation bodies, namely, Maharishi Daya Nand University, Rohtak and Choudhary Ranveer Singh University, Jind, by a formal order of permitting the petitioner-institute to participate in the counselling and admission of the students to the B.Ed. course for the academic session 2015-16 for which online registration has commenced.

On 24.7.2015, the case was adjourned to 29.7.2015 and on that day, it was adjourned to 3.9.2015. However, in the meantime, the petitioner had filed an application bearing

CM No.9842 of 2015, in which following order was passed on 7.8.2015:-

“This application is filed for seeking modification of the order dated 24.7.2015.

Notice in the application.

On the asking of the Court, learned counsels appearing on behalf of the non-applicants accept notice.

Learned counsel for respondents No.1 & 2 has submitted that he has already sent his paper resigning from the panel of NCTE, therefore, he is unable to make any statement at this stage. However, learned counsel for respondent No.3/University has submitted that the cut off date for the last admission would be 7.10.2015 in respect of the candidates applying for admission in the Self Financing Scheme (SFS) imparting B.Ed. Course like the petitioner.

Be that as it may, on 24.7.2015, following order was passed by this Court: -

“Counsel for respondent Nos. 1 and 2 has submitted that the decision with regard to the recognition of the petitioner/college has already been taken but minutes have not been finalised. He has prayed for an adjournment.

At the same time, counsel for the petitioner has submitted that he can admit students only upto 25.07.2015 but so far respondent Nos. 1 and 2 have not shown their college/institute in the list of recognised colleges though recognition of the petitioner is still existing.

Respondent No. 4 is directed to show the petitioner institute in the list of recognised colleges. The petitioner may also allow counselling but the admission shall remain in abeyance till the next date of hearing.

Adjourned to 29.07.2015.”

The only issue in this case is about the decision to be taken by respondents No.1 and 2 regarding recognition of the petitioner/college which has been delayed unnecessarily. Since, there is no assistance to the Court by learned counsel for respondents No.1 and 2 for the reasons mentioned by him, therefore, there is no alternative but to ask respondent No.2 to remain present in Court to explain the present situation.

Thus, I.K. Masuri, Regional Director of the National Council for Teacher Education is directed to be present in Court on the adjourned date.

The registry is directed to send him an email of the order passed by this Court today and the email address of I.K.

Masuri, Regional Director of the National Council for Teacher Education shall be provided by counsel for respondent No.2 to the registry itself.

Adjourned to 10.8.2015.”

Then respondents No.1 and 2 filed another application, namely, CM No.10069 of 2015, seeking exemption from personal appearance of Regional Director, NCTE. The said application was allowed on 10.8.2015 and application, namely, CM No.9842 of 2015, was ordered to be listed for today in urgent case.

Learned counsel for respondents No.1 and 2 has submitted that the recognition has already been given to the petitioner for the purpose of offering admission to the B.Ed. Course in the session 2015-16 but learned counsel for the petitioner has submitted that on 24.7.2015, it was allowed counselling but the admission was kept in abeyance till the next date of hearing.

It is thus submitted by learned counsel for the petitioner that until the order dated 24.7.2015 is modified and the institute is allowed to offer admission, the concerned University, namely, respondent No.4 would not allow the admissions.

Learned counsel for respondent No.4 has submitted that the petitioner has been shown on the web-portal of the University and the University has no objection if the petitioner-institute is allowed admission to the B.Ed. course in the Session 2015-16 in view of the recognition by the NCTE. It is further submitted that since the recognition has been given by respondents No.1 & 2, the petitioner-institute stands affiliated with respondent No.3

With the concurrence of all the counsel for the parties, the main case is also taken up for hearing, which is otherwise adjourned for 3.9.2015 and is being disposed of in view of the aforesaid observations.

A copy of this order be given to counsel for the parties under the signature of Special Secretary of this Court.

11.08.2015

Vivek

**(RAKESH KUMAR JAIN)
JUDGE**