

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

**CWP No.18626 of 2015
Decided on :19.12.2016**

Shri Sai College of Education and another

... Petitioners

Versus

Maharishi Dayanand University, Rohtak and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Jitender Nara, Advocate
for the petitioners.

Mr. Amit Rao, Advocate for
Mr. Anurag Goyal, Advocate for
respondent No.1-MDU.

Mr. Ajay Jain, Advocate
for respondent No.2-NCTE.

Mr. Tribhuvan Dahiya, Advocate
for respondent No.3-CRSU.

G.S. Sandhawalia, J. (Oral)

The prayer in the present writ petition seeks direction to the respondent No.1-MDU to grant approval to the selection of the teaching and non-teaching staff of the petitioner-college. Further prayer for grant of formal recognition under the NCTE Regulations and to include the petitioner-college in the admission process for B.Ed. Regular Course for academic session 2015-2016 has been made.

However, while issuing notice of motion on 04.09.2015, counsel for the petitioner had restricted his prayer only to the grant approval to the selection of the teaching and non-teaching staff. Even, otherwise regarding the admission for the academic session 2015-2016, the writ

petition has been rendered infructuous, since the admissions have already taken place for the said academic session.

It is also a matter of record that in view of the promulgation of the Chaudhary Ranbir Singh University, Jind Act 2014, the College of Educations have been affiliated to the said University. Vide order dated 09.08.2016, the above fact was also noticed and directions were issued that the record with the respondent No.1-MDU be handed over to respondent No.3-CRSU. The said order reads as under:-

“Notice of motion had been issued only on the issue of granting approval to the selection of the teaching and non-teaching staff for the petitioner-institute, which proposes to run the courses, which are recognized by respondent No.2-NCTE.

Counsel for respondent No.3 in pursuance of the order dated 25.05.2016 passed earlier has submitted that the State Government has allowed the said respondent-University to start the process of affiliation of all B.Ed. Colleges in Haryana except the constituent college of Education and Departments of other State Universities. The same is as per the provisions mentioned in the Chaudhary Ranbir Singh University, Jind Act 2014.

It is, accordingly, submitted that letter dated 25.04.2016 has also been written to the Registrar of the respondent No.1-University that the staff dealing with the affiliated B.Ed. Colleges be asked to prepare the list of record regarding affiliation file, file for appointment of teaching and non-teaching staff, realization of various types of fee i.e. affiliation, continuation, fee etc. rules and regulations with regard to education colleges. The record has, thus, been asked for to be handed over, so that the staff can be deputed to take over the record of the B.Ed. Colleges. Copy of the said communication has been placed on record.

Counsel for respondent No.3 has accordingly submitted that respondent No.1 is not supplying the necessary record in the case of the petitioner and, therefore, it is not in a position to process the

case of the petitioner for the purpose of approval for teaching and non-teaching staff, as prayed for.

Accordingly, respondent No.1 is directed to ensure that the action is taken on the request made by respondent No.3 and the record pertaining to the petitioner-institute is handed over within a period of 2 weeks from the receipt of the copy of this order.

Adjourned to 20.09.2016.”

Thereafter, it was noticed that the record had been handed over to CRSU.

Keeping in view the above, counsel for the respondent No.3 has also submitted that vide communication dated 15.09.2016, the respondent No.3 has issued further directions to the petitioner-college for advertising the posts in two newspapers (English & Hindi) and submits the synopsis of the candidates to the University. The contents of the said letter read as under:-

“In compliance with the honorable high court's order dated- 9 Aug. 2016, I am to inform you that M.D. University has handed over the record pertaining to your institute to this university. Further you are requested to advertise the post in two newspapers (English & Hindi) and submit that the synopsis of the candidates to the university. The C.R.S. University, Jind is only providing university nominee and the selection committee is constituted at the level of the college itself. You are requested to act accordingly.”

Keeping in view the above, it is, thus, apparent that the respondent No.3-CRSU is now duly competent body to approve the selection process of the staff of the petitioner-college.

In such circumstances, it will be open to the petitioner-college to approach the said University for grant of necessary approvals and it will also be open to the said University to supervise the same and

associate itself with the said selection process and to make due inspections and to ensure that the staff is duly approved.

With the abovesaid observations, the present writ petition stands disposed of.

DECEMBER 19, 2016
Naveen

(G.S. SANDHAWALIA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>