

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20373 of 2016

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1. Basundhara Teachers Training College, Muzaffarpur through its Chairman, Dr. Uma Shankar Roy Son of Late Deo Narayan Roy, The Chairman of Basundhara Teachers' Training College (Unit North Bihar Educational Trust), N.H. 28, Silout Bishanpur Jainarayan (Near Markan Chowk), P.S.- Mahant Maniyari, Dist.- Muzaffarpur, Bihar- 843119.
 2. The Chairman of Basundhara Teachers' Training College, N.H. 28, Silout (Near Markan Chowk), Muzaffarpur- 843119.

... .. Petitioner/s

Versus

1. B. R. Ambedkar Bihar University, Muzaffarpur through its Registrar.
2. The Vice Chancellor, B.R.A. Bihar University Muzaffarpur.
3. The Registrar, B.R.A. Bihar University, Muzaffarpur.
4. National Council for Teachers Education, Eastern Regional Committee, 15, Neelkantha Nagar, Nayappalli, Bhubaneshwar through the Regional Director.
5. The Regional Director, National Council for Teachers Education, Eastern Regional Committee, 15 Neelkantha Nagar, Nayappalli, Bhubaneshwar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ram Naresh Ray
For the Respondent/s	:	Mr. Santosh Kumar Jha
For the NCTE	:	Mr. Sunil Kumar singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 11-12-2017 Heard learned Counsel for the parties concerned.

This writ application was filed on 22.12.2016, seeking a direction to B. R. A. Bihar University, Muzaffarpur, to grant affiliation for B.A., B.Sc. B.Ed. Four-year integrated Course to Basundhara Teachers' Training College, Muzaffarpur, for the sessions 2016-17 onwards.

The plea of the petitioner is based on the statutory provisions under Section 14 (6) of the National Council for



Teacher Education Act, 1993 (hereinafter referred to as 'the Act') coupled with the fact that the said institution has been granted recognition by the National Council for Teacher Education.

Learned Counsel appearing on behalf of the University informs this Court that during the pendency of the writ application, the University has granted temporary affiliation to the institution for B.A., B.Sc. B.Ed. Four-year integrated Course for the sessions 2016-17 and 2017-18 in anticipation of approval of the State Government.

There is no dispute about the fact that the institution, in question, has been granted recognition by the National Council for Teacher Education under sub-Section (4) of Section 14 of the Act. Section 14 (6) of the Act requires that every examining body shall, on receipt of the order granting recognition under sub-Section (4) of Section 14 of the Act, grant affiliation to the institution. It does not envisage temporary recognition. The language of Section 14 (6) of the Act is such as it mandates the examining body to grant affiliation, once recognition under Section 14 (4) of the Act is granted.

In that view of the matter, I dispose of the writ application with a direction to the B. R. A. Bihar University, Muzaffarpur,



to consider the case of the petitioner and take a final decision strictly in terms of Section 14 (6) of the Act and the Supreme Court's decision, in the case of **State of Maharashtra v. Sant Dnyaneshwar Shikshan Shastra mahavidyalaya and Others**, reported in **(2006) 9 SCC 1**, within a period of one month from the date of receipt/production of a copy of this order.

This writ application stands disposed of.

(Chakradhari Sharan Singh, J)

Prabhakar Anand/-

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