

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14230 of 2016

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1. Mithila Teachers Training College, A.T. + P.O. Basuara, District - Madhubani through its Secretary
2. Md. Ishteyaque Ahmad Secretary, Mithila Teachers Training College, A.T. + P.O. Basuara, District - Madhubani

.... Petitioner/s

Versus

1. The Lalit Narayan Mithila University through it's Registrar
2. The Vice Chancellor, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga
3. The Registrar, Lalit Narayan Mithila University, Kameshwar Nagar, Darbhanga
4. National Council for Teacher Education, Eastern Regional Committee, 15 - Neelkanth Nagar, Nayapalli, Bhubneshwar, Odissa through it's Regional Director
5. The Regional Director, Eastern Regional Committee, National Council for Teacher Education, 15 - Neelkanth Nagar, Nayapalli, Bhubneshwar, Odissa

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha, Advocate

For the Respondent/s : Mr. Chandra Mohan Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

5 25-04-2017 Mithila Teachers Training College, Basuara through its Secretary has approached this Court seeking direction to the respondents to issue No Objection Certificate for starting two additional basic units and thereby increasing intake of students in B.Ed. course by 100 for the Academic Session 2016-18. The College, it is claimed is self financed unaided minority institution engaged in imparting training leading to grant of B.Ed degree. Indisputably the College is recognized by Eastern Regional



Committee of National Council for Teachers Education (hereinafter referred to as NCTE). The College is admitted to the privileges of Lalit Narayan Mithila University, Darbhanga (hereinafter referred to as the University).

A counter affidavit has been filed on behalf of the University, Darbhanga stating therein that for purpose of grant of No Objection Certificate for allowing additional intake in the said course, a proper enquiry is statutorily required, for which a three member committee has been constituted by notification dated 24.04.2017. It has been stated that final decision shall be taken after submission of report by the said Enquiry Committee.

Learned counsel appearing on behalf of the University has submitted that the petitioners had sought for No Objection Certificate for starting additional intake of 100 students for the Academic Session 2016-18 for which Session the admissions are already closed. From the writ application, however, I find that application of the petitioners is for grant of No Objection Certificate for starting additional two units from the academic session 2016-18. I need not comment on this aspect of the matter. Grant or refusal of No Objection Certificate shall certainly depend on the nature of application filed by the petitioners before the University.



In any view of the matter, the decision in this regard cannot be postponed for indefinite period. The Court is of the view that there is already the delay on the part of the University in taking up the petitioners' request for grant of No Objection Certificate in right earnest.

In the facts and circumstances of the case, I dispose of this writ application with a direction to the respondent University to ensure that the report is submitted by the team constituted by the University expeditiously and decision is taken with respect to grant of No Objection Certificate on the basis of said report, within a reasonable time and in no case later than three months from the date of receipt/production of the present order.

This application stands disposed of.

(Chakradhari Sharan Singh, J)

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