

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20039 of 2016

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1. L.N. Mishra College Of Business Management Bhagwanpur Chowk, Muzaffarpur through its Registrar.
 2. The Registrar, L.N. Mishra College Of Business Management Bhagwanpur Chowk, Muzaffarpur.

... .. Petitioner/s

Versus

1. B.R.A. 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, Nayaypalli, Bhubaneshwar through the Regional Director.
null null
5. The Regional Director, National Council for Teachers Education, Eastern Regional Committee, 15, Neelkantha Nagar, Nayaypalli, Bhubaneshwar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Binodanand Mishra
For the Respondent/s	:	Mr. Santosh Kumar Jha

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 11-12-2017 Heard learned Counsel for the parties concerned.

This writ application was filed on 16.12.2016, seeking a direction to B. R. A. Bihar University, Muzaffarpur, to grant affiliation for M. Ed. Course to L. N. Mishra College of Business Management, 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 M. Ed. 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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