

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15080 of 2017

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Vivekananda Institute of Primary Education, Plot No. 749, 750, Street No. NH-57,
Vill. +P.O.-Basudevpur, P.S.-Darbhanga Sadar, Distt.-Darbhanga, Bihar, through
its Secretary, Annu Kumari.

.... Petitioner/s

Versus

1. The National Council for Teacher Education, Hans Bhawan, Wing-11, Bahaur
Shah Zafar Marg, New Delhi, through its Member Secretary.
2. The Director, National Council for Teachers Education, Eastern Regional
Committee, 15, Neel Kanth Nagar, Naya Patti, Bhubaneshwar, 751012.
3. The Secretary, Bihar School Examination Board, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Siya Ram Shahi, Adv.

For the NCTE : Mr. Sunil Kumar Singh, Adv.

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL JUDGMENT & ORDER

Date: 02-11-2017

The petitioner is a teaching institute, imparting course
in Diploma in Elementary Education (D. El. Ed.), *inter alia*. The
institute has a grievance that the National Council for Teacher
Education (*in short 'the NCTE'*) has granted recognition from the
session 2018-19, though it was entitled for such recognition for the



previous session, *i.e.*, academic session 2017-18.

2. This is not in dispute that the cut off date prescribed by the Supreme Court, in case of *Maa Vaishno Devi Mahila Mahavidyalaya Vs. The State of Uttar Pradesh & Ors.*, reported in (2013) 2 SCC 617, has expired. It is noticeable that an application, seeking extension of the cut off date for grant of recognition/affiliation, has been rejected by the Supreme Court *vide* an order, dated 15.09.2017, passed on Miscellaneous Application No. 347 of 2017 in Writ Petition (Civil) No (S). 276 of 2012.

3. In that view of the matter, the relief, which has been sought for, cannot be granted in the present proceeding.

4. Mr. Siya Ram Shahi, learned counsel, appearing on behalf of the petitioner, has submitted that grant of recognition got delayed because of the laches on the part of the NCTE and, therefore, this Court should direct the NCTE to grant recognition for the academic session 2017-18 also. He has relied on certain Supreme Court's orders, brought on record by way of Annexure 16 series to this writ application.

5. Those orders have been passed apparently under Article 142 of the Constitution of India, by the Supreme Court.

6. This Court, in the light of clear rejection of



application for extension of time for grant of recognition/affiliation by the Supreme Court, cannot entertain the prayer made on behalf of the petitioner in this case.

7. Since, no relief can be granted, this application stands disposed of.

(Chakradhari Sharan Singh, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
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