

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

CWP No.1700 of 2017
Date of Decision:-08.02.2017

Ram Sukh Dass College

.....Petitioner

Vs.

National Council of Teacher Education and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: - Mr.Naveen S. Bhardwaj, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is directed against the minutes of 253rd meeting of the Northern Regional Committee [NRC], National Council for Teacher Education [NCTE] held between 10th to 13th June 2016 at Jaipur. The decision taken in the meeting against the petitioner reads as under: -

“The original file of the Institution alongwith other related documents, NCTE Act, 1993, Regulations were carefully considered by NRC and following observation was made.

- The college has submitted the letter of approval (dt. 23.05.2016) of the affiliating*

university only with regard to six persons as Assistant Professors for the proposed B.A.B.Ed./B.Ss.B.Ed.

programme against requirement of 08 full time faculty members for one basic unit of 50 students as per NCTE norms (Appendix-13, Page No.167; of NCTE Regulations, 2014.)

Hence, the Committee decided that the application is rejected and recognition/permission is refused u/s 14/15(3)(b) of the NCTE Act, 1993. FDRs, if any, be returned to the institution.”

Aggrieved against the decision taken in the meeting, the petitioner filed statutory appeal before the NCTE, which is still pending.

Since, the petitioner has already availed the remedy of appeal in order to challenge the validity of the minutes of the 253th meeting, therefore, the present petition is not maintainable to challenge the said meeting as the petitioner cannot be allowed to take two remedies for the same cause of action .

Consequently, the present petition is not maintainable. However, on the request made by counsel for the petitioner, direction is issued to the appellate authority i.e. NCTE, who is seized of the appeal of the petitioner, to decide the same, as early as possible,

preferably within a period of one month from the date of receipt of
certified copy of this order.

Disposed of.

08.02.2017

Vivek

(RAKESH KUMAR JAIN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>