

**102+218 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CM No.12502 of 2017 in/and
CWP No.944 of 2017 (O&M)
Date of decision : 07.09.2017**

Shri Satya Sai College of Education, Village Asmanpur

..... Petitioner

versus

The National Council for Teacher Education through its
Regional Director, NCTE Office Jaipur and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Pankaj Maini, Advocate
for the petitioner.

Mr. Ajay Jain, Advocate
for respondent No.1.

Mr. A.S.Virk, Advocate
for respondent No.3.

Mr. Ram Chander, Advocate
for respondent No.4.

CM No.12502 of 2017

For the reasons recorded, the application is allowed.

Documents Annexure A to D are taken on record.

CWP No.944 of 2017

This petition has been filed challenging the order dated 29.12.2016 (Annexure P-8) whereby the NCTE withdrew the recognition of the petitioner-College on the ground that it does not have the requisite infrastructure.

On 20.01.2017, the following order was passed :-

“Learned counsel for the petitioner,inter-alia, contends that the petitioner is aggrieved against the order dated 29.12.2016 passed by the National Council for Teacher Education by which recognition of the petitioner has been withdrawn on the ground that the petitioner does not have the requisite infrastructure much-less the land required for the built up area for the college.

It is submitted that with the shifting of respondent No.4 in the premises of the petitioner, the area of the petitioner college has been reduced from 2500 square meters to 2147 square meters. It is submitted that the petitioner would make up the deficiency if some time is granted to it.

Notice of motion for 31.1.2017. Dasti only.

Till then, operation of the impugned order shall remain stayed.”

At the very outset learned counsel for the petitioner has fairly accepted that on that date the petitioner-College had relied upon the norms Annexure P-13 whereas actually by then the regulation of 2014 had become applicable where the requirement was much more. Even today the only argument raised by the learned counsel for the petitioner after 8 months is that if time is granted the petitioner-College would be able to make up the requisite infrastructure.

Learned counsel for respondent No.1-NCTE has, however, argued that once it is admitted that the petitioner lacked the infrastructure no fault can be found with the order whereby the recognition was withdrawn. He has further argued that the petitioner-College has admitted that not only

on the date when the petition was filed even today the requisite infrastructure is not there.

I find force in this argument and consequently, dismiss the petition. It is of course open to the petitioner-College to fulfill the requirement and approach the respondent No.1-NCTE in accordance with law.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

07.09.2017
pooja sharma-I

(**AJAY TEWARI**)
JUDGE

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No