

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11317 of 2017

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A And E Institute Of Teachers Training through its Chairman Ashok Kumar
Son of Rajendra Rai A and E Institute of Teacher's Training, village - Baluahi
Street/Road - Mohiuddin Nagar, Town/City - Baluahi, District - Samastipur,
Bihar - 848501.

... .. Petitioner

Versus

1. The State of Bihar through the Secretary, Higher Education, Government of Bihar, Patna.
2. The National Council for Teachers Education through its Secretary Hans Bhawan, Wing II, 1 Bahadur Shah Zafar Marg, New Delhi.
3. The Regional Director Eastern Regional Committee, National Council for Teachers Education, 15 Neel Kanth Nagar, Nayapalli, Bhubaneswar - 751012.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. S. N. Pathak Mr. Prashant Kumar
For the State	:	Mr. Nishant Kumar Jha, AC to SC 28
For the NCTE	:	Mr. Sunil Kumar Singh Mr. Md. Azimuddin

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 20-02-2018 The petitioner's application for grant of recognition for B. Ed. Course, for the sessions 2016-18, has been rejected by an order, dated 29.11.2016, by the Eastern Regional Committee of the National Council for Teacher Education, on the following grounds:-

“(i) The applicant has submitted Demand Draft of Rs. 1.50 lacs towards processing fee. As per the online NCTE portal, payment through online only is accepted.

(ii) As per the print out copy of the



online application it is observed that Application Number is not available.

(iii) The application is not appeared on the dashboard of the online NCTE portal due to which online process cannot be carried out.”

The petitioner had preferred an appeal against the said order, which, too, has been dismissed by the appellate authority by subsequent order, dated 29.05.2017.

Learned Counsel appearing on behalf of the petitioner submits that it was because of some fault in the website of the National Council for Teacher Education that the processing fee amount could not be deposited online. It has, accordingly, been submitted that rather demand draft of Rs. 1.50 lacs was submitted for processing the application.

This is not in dispute that as per the requirement, the payment through online only was to be accepted.

I, however, need not go into such aspect of the matter in view of the lapse of time since the petitioner's application for grant of recognition for the academic sessions 2016-18 cannot be considered now. However, since the ground for rejection is payment of processing fee through demand draft and not by online, the National Council for Teacher Education is directed to refund the said amount of Rs. 1.50 lacs to the petitioner, if the



same has been credited in the account of the National Council
for Teacher Education.

It goes without saying that the petitioner shall be at liberty
to apply for grant of recognition for the subsequent sessions if
permissible in accordance with law.

This application stands dispose of.

(Chakradhari Sharan Singh, J)

Prabhakar Anand/-

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