

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10488 of 2018

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Anup Kumar, son of Late Brijnandan Prasad Singh, resident of village- Mount
Litera Zee School, N.H.-82, Kaiya, Police Station, Muffassil, District-Gaya.

... .. Petitioner

Versus

The Director, National Council For Teachers Education, Eastern Regional
Committee, 15 Neel Kantha Nagar, Naya Patti, Bhubaneshwar, Orissa.

... .. Respondent

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2
For the Respondent NCTE: Mr. Sunil Kumar Singh
Mr. Ranvijay Singh

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

ORAL ORDER

3 04-09-2018 The petitioner, who claims to be the Secretary of

B.N.Education Welfare Trust, which runs Suprita College of

Education, had applied for grant of recognition for B.Ed. and

D.E.L.E.D. course before the National Council for Teacher

Education (NCTE). He had also deposited a sum of

Rs.1,50,000.00 with the NCTE as requisite fee for consideration

of the application for grant of recognition.

Grant of No Objection Certificate by the concerned

University is one of the condition precedents for considering an

application for grant of recognition by the NCTE. Admittedly,

the petitioner's institution was not granted No Objection

Certificate by the University. It is clear from the averments

made in the writ application itself that subsequently, the



University refused to grant No Objection Certificate. This is the background in which this writ application has been filed seeking direction to the NCTE to refund the said amount of Rs.1,50,000.00, which was deposited by the petitioner's institution. The petitioner has approached the Director, NCTE, Bhubaneswar (Orissa) for refund of the said amount of Rs.1,50,000.00 through letter dated 10.01.2018.

Learned counsel for the petitioner submits that refusal of grant of No Objection Certificate is a policy decision of the University and since the petitioner's application has not been considered by the NCTE, in view of the policy decision of the University, the said amount needs to be refunded.

Mr. Sunil Kumar Singh, learned counsel for the NCTE, on the other hand, submits that since application for recognition has been rejected by NCTE for whatever reason, there is no question of refund of the amount.

Be that as it may, let the NCTE consider refunding the said amount of Rs.1,50,000.00 by disposing of the petitioner's representation, said to have been made on 10.01.2018, which has been brought on record by way of Annexure-4 to the writ application; within two months from the date of receipt/production of a copy of this order.



This writ application stands disposed of.

(Chakradhari Sharan Singh, J)

Pawan/Ragini

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