

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19152 of 2017

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Maharana Pratap College Of Education, Village/P.o.- Chilhari, Tehsil-
Dumraon, Town/City- Buxar, District- Buxar, Bihar- 802133 through Sri
Hulkar, Son of Sri Attarlal, Treasurer, Indian Computer Education Society.

... .. Petitioner/s

Versus

1. Aryabhatta Knowledge University, Chanakya National Law University
Campus, Near Bus Stand Mithapur, Patna through the Registrar.
2. The Vice Chancellor, Aryabhatta Knowledge University, Chanakya National
Law University Campus, Near Bus Stand, Mithapur, Patna.
3. The Registrar, Aryabhatta Knowledge University, Chanakya National Law
University Campus, Near Bus Stand, Mithapur, Patna.
4. National Council for Teacher Education, Eastern Regional Committee, 15,
Neelakantha Nagar, Nayapalli, Bhubneshwar (Orissa) through its Regional
Director.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Raju Giri
		Mr. Santosh Kumar Mishra
For the NCTE	:	Mr. Sunil Kumar Singh
		Mr. Ranvijay Singh
For the University	:	Mr. Anand Kumar Ojha

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

ORAL ORDER

- 2 06-03-2018 The petitioner is an institution, intending to run B. Ed.

Course. The present writ application has been filed for
commanding the respondent-Aryabhata Knowledge University
to direct their representatives to be present on the date and time
of interview when the faculty members/teachers in the
petitioner's institution are going to be selected/appointed in
compliance of Clause 7 (13) National Council for Teacher
Education (Recognition, Norms and Procedure) Regulations,
2014. The application filed on behalf of the institution for grant



of recognition was pending before the Eastern Regional Committee of the National Council for Teacher Education, which came to be rejected by an order, dated 17.02.2018, on the ground that the institution failed to submit faculty list, duly approved by the concerned affiliating body.

There is statutory appeal prescribed against an order of rejection for grant of recognition under Section 18 of the National Council for Teacher Education Act, 1993, which the petitioner has availed by filing appeal during the pendency of this writ application on 24.02.2018.

No purpose would be served now if this writ application is entertained seeking the relief, as noted above.

Mr. Giri, learned Counsel appearing on behalf of the petitioner, has submitted that it was primarily because of the lapse on the part of the University to make available the representatives of the University for the purpose of Selection of faculty members that such situation arose, leading to rejection of the petitioner's application for grant of recognition.

Mr. Ojha, learned Counsel appearing on behalf of the University, has, on the other hand, on the basis of instructions which he has received from the University, has submitted that the institution had made certain misrepresentations while



applying for No Objection Certificate.

I need not go into all such aspects of the matter since the appeal is pending before the competent authority.

This writ application is disposed of with the observation that let the appeal be decided expeditiously.

Needless to say that if the decision in appeal goes in favour of the petitioner, the University shall proceed in accordance with law in the matter of selection of the faculty members.

This application stands disposed of.

(Chakradhari Sharan Singh, J)

Prabhakar Anand/-

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