

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18943 of 2017

Dr. Sushmit Suman, aged about 34 years, Daughter of Dr. Sanjay Kumar Singh, Resident of Allalpatti, Ward No.27, Ahila, Post- D.M.C., Police Station- Laheriasarai, District- Darbhanga- 846003 (Bihar), at present Secretary, Dr. Madhurima Sanjay Teachers Training College Ballopur (Bhigo), Laheriasarai, Darbhanga- 846001.

... .. Petitioner/s

Versus

1. The National Council For Teacher Education, Hans Bhawan, Wing-II, Bahadurpur Shah Zaffar Marg, New Delhi- 110002 through its Member Secretary.
2. Regional Director, National Council for Teacher Education, Eastern Regional Committee, 15, Neelkanth Nagar, Nayapalli, Bhubneshwar- 751012, Orissa.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sarvs Deo Singh Mr. Sanjay Kumar
For the Respondent/s	:	Mr. Sunil Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 23-01-2018 This is not in dispute that the submission of No Objection Certificate, obtained from the affiliating University, is a condition precedent for filing an application before the National Council for Teacher Education for grant of recognition. This is also not in dispute that when the petitioner, who claims to be the Secretary of Dr. Madhurima Sanjay Teachers' Training College, Ballopur (Bhigo), Laheriasarai, had filed application for grant of recognition, he had not submitted the said No Objection Certificate, along with the application.

Subsequent to submission of application, the petitioner claims that certain deficiencies were pointed out, which were



removed and the deficiencies, as regards submission of No Objection Certificate was also removed. The No Objection Certificate, according to the petitioner, had been submitted with the National Council for Teacher Education. The National Council for Teacher Education, vide order, dated 22.05.2017, rejected the application for grant of recognition on the ground that on the date of submission of application, there was no No Objection Certificate available. The petitioner had preferred a statutory appeal against the order, dated 22.05.2017, which also came to be dismissed by order, dated 27.11.2017 by the Appellate Authority under the Act.

The aforesaid two orders are being assailed in the present writ proceeding on the ground that since subsequently the petitioner had submitted the No Objection Certificate, the application ought to have been entertained as maintainable for grant of recognition.

As has already been noticed above, it is mandatory under the Regulations that an application, seeking recognition, made by a teacher training college must enclose No Objection Certificate issued by the Examination Body. Rejection of the petitioner's application for recognition cannot be, therefore, faulted with, nor the order of the Appellate Authority.



Learned Counsel appearing on behalf of the petitioner has, however, submitted that since, now, there is no deficiency and all the deficiencies, including the deficiency in respect of No Objection Certificate have been removed, the National Council for Teacher Education should be directed to reconsider the petitioner's same application, which he had filed.

I do not find any justification in directing the National Council for Teacher Education to consider the petitioner's application, which has been rejected, after assigning reasons by an order, dated 22.05.2017, which, subsequently, came to be affirmed by the order of the Appellate Authority, dated 27.11.2017.

However, since it is being stated on behalf of the petitioner that as on date, the institution fulfills all the requisite conditions for grant of recognition, it is observed that if the petitioner makes an application for recognition by the National Council for Teacher Education afresh, the same shall be considered expeditiously in accordance with law.

This application stands disposed of.

(Chakradhari Sharan Singh, J)

Prabhakar Anand/-

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