

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15226 of 2018

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S. R. P. Teachers Training College, Reyan Nagar, Vill.- Madhopara, P.O.+
P.S.+ Distt.- Purnea, PIN- 854301, through its Secretary, Birendra Kr.
Sharma.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources Development, Bihar, Patna.
2. The National Council For Teacher Education, Hans Bhawan, Wing- II, Bahadur Shah Zafar, New Delhi, through its Member Secretary.
3. The Regional Director, National Council For Teacher Education, Eastern Regional Committee, 15, Neelkantha Nagar, Nayapalli, Bhubneswar- 751012.
4. The Additional Secretary, Governors Secretariat, Bihar, Raj Bhawan, Patna- 800022.
5. The Pro Vice- Chancellor, Purnea University, Purnea.
6. The Registrar, Purnea University, Purnea.
7. Nalanda Open University, 3rd Floor, Biscomaun Bhawan, West Gandhi Maidan, Patna through its Registrar.
8. The State Nodal Officer-cum- Vice Chancellor (NOU), CET (Combined Entrance Test, B.Ed.- 2018 Having Office at Nalanda Open University, 3rd Floor, Biscomaun Bhawan, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Siyaram Shahi
		Mr. Suresh Mishra
For the N.C.T.E.	:	Mr. Sunil Kumar Singh
For the Purnea Univ.	:	Mr. Rakesh Kumar Samrendra
For the Respondent/s	:	Smt. Shilpa Singh, GA-12
For the Nalanda Open Univ.	:	Mr. Navin Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 07-08-2018 It is the petitioner's claim that the College, which is a Teachers Training College, has been granted recognition by National Council for Teacher Education (N.C.T.E.), in January 2018 itself. The respondent Purnea University, which is the successor body of B. N. Mandal University, has not granted affiliation, however, for the academic session 2018-19, in favour of the petitioner alleges.

2. Mr. Siyaram Shahi, learned counsel appearing on



behalf of the petitioner submits that once the N.C.T.E. has granted recognition to the petitioning College to run B.Ed. Course, the affiliating University has no other option but to grant affiliation.

3. Mr. Rakesh Kumar Samrendra, learned counsel appearing on behalf of the Purnea University, has submitted that in view of cut-off date of 10th May of the concerned academic session for grant of affiliation, prescribed by the Supreme Court in case of *Maa Vaishno Devi Mahila Mahavidyalaya Vs. State of U.P., (2013) 2 SCC 617*, no affiliation can be granted to any institution for the academic session 2018-19, after 10th May, 2018.

4. Mr. Navin Prasad Singh, learned counsel representing the respondent nos. 7 & 8, the Nalanda Open University, which is holding common entrance test for admission to B.Ed. Course, have taken the same stand.

5. Learned counsel appearing on behalf of the respondents are correct in their submission, that in view of the Supreme Court's decision in case of *Maa Vaishno Devi Mahila Mahavidyalaya* (supra), this Court cannot issue direction for grant of affiliation for the academic session 2018-19 in favour of the petitioning institution, after 10.05.2018.



6. There should be, however, no controversy over the legal position that once the recognition has been granted by the N.C.T.E., the University is obliged to grant affiliation, in view of clear language of Section 14(6) of the N.C.T.E. Act, 1993.

7. This application is, accordingly, disposed of with direction and observations that the affiliating University must consider granting affiliation to the petitioner in the background of the fact that the N.C.T.E. has already granted affiliation for the next academic session 2019-20, well in advance.

(Chakradhari Sharan Singh, J)

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