

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20590 of 2018

Vimal Bibhuti College Of Education At D P S Bhagalpur Campus, Deekshapuram, Post Office & Police Station-Sabour, Bhagalpur through its authorized Signatory namely jeevan Jyoti, Son of Dipak Kumar Upadhyay, Resident of T.N. Singh Lane, Aadampur, Police Station-Aadampur, Bhagalpur.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Department of Education, Government of Bihar, Patna.
4. The Director (Administrator)-Cum-Joint secretary, Department of Education, Government of Bihar, Patna.
5. The Tilka Manjhi Bhagalpur University through its Registrar, Bhagalpur, Bihar.
6. The Vice-Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur, Bihar.
7. The Registrar, Tilka Manjhi Bhagalpur University, Bhagalpur, Bihar.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar
For the Respondent/s	:	Mr. Narendra Kumar, AC to GP-20
For the University	:	Mr. Ashhar Mustafa

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 13-12-2018 A counter affidavit has been filed on behalf of the University. This is not in dispute that Vimal Bibhuti College of Education has been granted recognition by the National Council for Teacher Education for conducting M.Ed. Course of two years with intake of 50 (One Basic Unit) from the academic session 2018-19 subject to certain conditions as laid down in the order itself granting recognition. This is also not in dispute that in terms of the Supreme Court's decision in case of *Maa Vaishno Devi Mahila Mahavidyalaya Vs. The State of Uttar*



Pradesh, reported in (2013) 2 SCC 617, the University, which is the examining body, has no other choice but to grant affiliation.

In the counter affidavit filed, it has been stated that an inspection team has been constituted to inspect the College in question and affiliation shall be granted once report of the inspecting team is submitted.

I reiterate the legal position, as clarified in this Court's decision in case of **Surendra B.Ed. Teachers Training College vs. The State of Bihar and Others**, reported in 2017(4) PLJR 1002, that once the NCTE has granted recognition, the affiliating bodies do not have any option but to grant affiliation.

Keeping this legal principle in mind, the University shall be required to take a decision within one month from the date of receipt/production of a copy of this order.

This writ application is disposed of.

(Chakradhari Sharan Singh, J)

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