

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3750 of 2020

=====

Ramjyoti Kameshwar College of Teacher Education, Village and P.O.-
Shivdaha Barail, P.S. Gaighat, District- Muzaffarpur through its Chairman
Sunil Kumar, Son of late Kameshwar Roy, Resident of Village and P.O.-
Shivdaha Barail, P.S. Gaighat, District- Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

1. The National Council for Teachers Education through its Secretary Hans Bhawan, Wing II, I Bahadur Shah Zafar Marg, New Delhi.
2. The Regional Director Eastern Regional Committee, National Council for Teachers Education, 15 Neelkanth Nagar, Nayapalli, Bhubaneshwar- 751012

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Shri Nath Pathak, Advocate
		Mr. Prashant Kumar, Advocate
For the Respondent/s	:	Mr. Sunil Kumar Singh, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 23-07-2021 The matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

2. This application has been filed seeking quashing of an order dated 15.04.2019, passed by the Eastern Regional Committee, National Council for Teacher Education (ERC, NCTE), Bhubaneshwar, whereby a decision has been taken not to grant recognition in favour of Ramjyoti Kameshwar College of Teacher Education (petitioner). The petitioner had preferred statutory appeal against the said order, which has been dismissed by an order dated 27.08.2019. The petitioner wants the said two orders dated 15.04.2019 and 27.08.2019 to be



reviewed. The petitioner is further seeking a direction commanding Respondents No. 1 and 2 to constitute a fresh committee for causing an inspection of the College in question in accordance with the guidelines issued for the said purpose.

3. Mr. S.N. Pathak, learned counsel appearing on behalf of the petitioner has placed heavy reliance on an order of this Court dated 25.02.2021, passed in CWJC No. 4090 of 2020 to contend that in similar circumstance this Court has permitted the petitioner to file a representation before the respondent authorities with all required documents and details of the infrastructure required under the NCTE Act and further, in the event, such representation was filed, the NCTE has been directed to make inspection of the petitioner's institution in respect of D.El.Ed. course. Mr. Pathak, learned counsel has submitted that following the said order passed by a coordinate Bench of this Court, this Court may also dispose of this writ application with a direction to the NCTE to conduct an inspection.

4. I have carefully perused the order of this Court dated 25.02.2021, passed in CWJC No. 4090 of 2020 which relates to recognition of D.El.Ed. course of the petitioner's institution. It appears from the said order itself that on perusal of



the counter affidavit filed on behalf of the NCTE, this Court noticed that because of non-cooperation shown by the petitioner's institution, the authorities had denied recognition and the appellate authority had refused to interfere with the said order. The said order was passed in the background of the submission advanced on behalf of the petitioner for making a representation before the NCTE.

5. Admittedly, the petitioner's statutory application is not pending before the authorities, inasmuch as, the same has been rejected by an order passed by the ERC, NCTE, which has been, subsequently, affirmed in appeal.

6. In such view of the matter, this application is disposed of with an observation that the petitioner shall be at liberty to make a fresh application before the competent authority for grant of recognition. It goes without saying that if any application is made, the same shall be considered in accordance with law and disposed of expeditiously.

(Chakradhari Sharan Singh, J)

Rajesh/-

U			
---	--	--	--

