

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM OFFICIAL CHAMBER VIA VIDEO APPLICATION)
Civil Writ Jurisdiction Case No.6263 of 2020**

Mithila Teachers Training College through its Secretary Md. Ishteyaque Ahmed, Male, aged about 33 years, having office At and P.O.- Basuara, P.S. Rahika, District- Madhubani.

... .. Petitioner

Versus

1. National Council for Teacher Education Eastern Regional Committee, 15- Neelkanth Nagar, Nayapalli, Bhubaneswar, Odisha through its Regional Director.
2. The Regional Director, National Council for Teacher Education, Eastern Regional Committee, 15- Neelkanth Nagar, Nayapalli, Bhubaneswar, Odisha.

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Nirbhay Prashant, Advocate

For the Respondent/s : Mr.Sunil Kumar Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 08-03-2021 Heard learned counsel for the petitioner and Mr. Sunil Kumar Singh, learned counsel for the National Council for Teacher Education.

This writ application has been filed for the following
reliefs:

“(i) For setting aside the order contained in letter no. 58574 dated 30.11.2018 (Annexure- 10) issued under the signature of Respondent no. 2 whereby and where under Eastern Regional Committee decided that the application of the petitioner institution be entertained afresh during the time of fresh advertisement with No Objection Certificate of 2018 and further directed to apply afresh as per Regulation, 2014 as and when the online application will be invited.

(ii) For directing the respondent authorities to inspect the petitioner institution, and if they found fit the



petitioner institution for M.Ed. (Additional Course), may direct to grant recognition/permission for M.Ed. Additional Course to the petitioner institution from the session 2020-2022 in view of the application sent by the petitioner institution in the year 2015 being application ID: ERCAPP3831 and representation dated 05.10.2018 (Annexure- 9) filed in view of order dated 18.09.2018 passed in CWJC no. 18757 of 2018 (Annexure- 10), as they not inviting online application for running any course including M.Ed. Additional Course for 2019-2021 session after General Election, 2019.

(iii) For any other relief/reliefs for which the petitioner may be deemed entitled to.”

In course of hearing, this Court has been taken through Annexure ‘4’, Annexure ‘8’ and Annexure ‘11’ to the writ application which are the orders passed by learned coordinate Bench of this Court in CWJC No. 9539/2016, CWJC No. 18757/2018 and CWJC No. 1785/2019 respectively.

From Annexure ‘8’ to the writ application, it would appear that the learned Co-ordinate Bench has earlier refused to interfere with the order dated 25.05.2016 issued by the National Council for Teacher Education (hereinafter referred to as the ‘NCTE’) and further refused to issue a direction for reconsideration of the application of the petitioner for grant of recognition by ‘NCTE’. Not only that when the petitioner made a complaint that his request for grant of permission for running



M.Ed. (Additional Course) for Session 2019-2021 is not being considered, in CWJC No. 1785 of 2019, the 'NCTE' took a stand that very soon online applications are going to be invited for grant of such permission and in case the petitioner no. 1 College applies for the same, the 'NCTE' would consider the same, on such stand being taken by the 'NCTE', the petitioner agreed that the writ application may be disposed off and accordingly the learned Co-ordinate Bench disposed off CWJC No. 1785 of 2019.

Now, in this writ application, the order dated 30.11.2018 issued by the Regional Director, 'NCTE' (Annexure '10' to the writ application) has been sought to be challenged. This Court finds that in view of the earlier orders passed by the learned Co-ordinate Bench of this Court no illegality or infirmity may be found with the impugned order dated 30.11.2018. The stand of 'NCTE' in CWJC No. 1785 of 2019 which has been accepted by the petitioners in the said case finally closes this issue.

This Writ Application has, thus, no merit. It is accordingly dismissed.

It goes without saying that when the 'NCTE' invites application for recognition it will be open for the petitioner to



apply for the same in accordance with law.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

