

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

136

CWP No.8013 of 2021

Decided on : 09.04.2021

Shri Ram Shiksha Samiti

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Pankaj Maini, Advocate for the petitioner.

(The proceedings have been conducted through video conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral)

The petitioner in the present writ petition filed under Article 226 of the Constitution of India seeks directions for issuance of a writ in the nature of mandamus directing the respondent No.2 to approve the faculty of the petitioner in terms of Letter of Intent issued by the National Council for Teachers Education (NCTE) on 12.09.2018 (Annexure P-7). The relief claimed is for approval of the faculty since a show cause notice has been issued by NCTE, as per Minutes of Meeting dated 29.01.2021 (Annexure P-2).

Notice of motion.

Mr. RKS Brar, Addl. AG, Haryana, accepts notice on behalf of the respondents and submits that copy of the paper-book has not been supplied to him.

Counsel for the petitioners undertakes to supply soft copy of the paper-book to him during the course of the day.

Keeping in view the fact that only decision making is sought, this Court is of the opinion that no useful purpose will be served to call upon the respondents for filing reply and delay would be caused in the decision making process.

The petitioner's claim is that as per Letter of Intent for Diploma in Elementary Education dated 12.09.2018 (Annexure P-7), the NCTE had asked the petitioner-Institute to submit the list of faculty, duly approved by the affiliating body, to its Northern Regional Committee (NRC).

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CWP No.8013 of 2021

-2-

It is the case of the petitioner that vide 326th Emergent Meeting of the NRC held on 29.01.2021 (Annexure P-2), a show cause notice has been issued under Section 14/15 (3) (b) of the NCTE Act, 1993 to submit latest current faculty list approved and signed on each page by concerned affiliating body, which is stated to have been not submitted. It is submitted regarding the other objections that the petitioner as such has removed the same. In pursuance of the same, the petitioner vide letter dated 10.03.2021 (Annexure P-5) has also represented to the respondent No.2 for approval of the teaching staff and the necessary documents as such have been submitted, vide the said letter. It is further the case of the petitioner that vide communication dated 23.03.2021 (Annexure P-6), request has been made to the said respondent to expedite the matter for approval of the faculty.

Resultantly, without commenting upon merits of the case, the present petition is disposed of with the direction to the respondents to take a decision on the representations of the petitioner dated 10.03.2021 (Annexuure P-5) and 23.03.2021 (Annexuure P-6) within a period of two weeks from today.

Copy of this order be given to the counsel for the parties under the signatures of the Special Secretary of this Court.

April 09, 2021
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No