

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20393 of 2021

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Vidya Devi, W/o Late Ramadhar Mishra, Resident of Ward no.-4, Village-
Purendra, P.S. and P.O.-Palanwa District-East Champaran, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. Principle Secretary, Bihar State Higher Education Council, Government of Bihar, Patna.
3. Chief Secretary, Department of Education, Government of Bihar, Patna.
4. National Council for Teacher Education through the Regional Director, Eastern Region, G-7, Sector-10, Dwarka, New Delhi
5. The Vice Chancellor, Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur.
6. The Secretary, Er. Upendra Sharma Teachers Training College Vill-Telhara Khurd, PO- Kala, Dhaka, East Champaran.
7. District Magistrate, Motihari, East Champaran.
8. Block Education Officer, Motihari, East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Manas Prakash, Advocate
For the Respondent/s	:	Mrs. Shilpa Singh, GA-12
		Mr. P.K. Shahi, Sr. Advocate
		Mr. Ritesh Kumar, Advocate
		Mr. Sunil Kumar Singh, Advocate
		Mr. Sanjeev Kumar, Advocate
		Mr. Surendra Kishore Thakur, Advocate
		Mr. Brajesh Kumar Singh, Advocate
		Mr. Suman Kumar, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 09-03-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following



relief(s):-

- A. For issuance of writ/order/direction in the nature of mandamus for commanding the State respondents to cancel the affiliation/recognition of the College namely "Er. Upendra Sharma Teachers Training College" for conduction two year programme with immediate effect, which was granted by the Vice Chancellor, Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur without proper verification of the aforesaid college.
- B. For further commanding the respondents to set up an inquiry that how affiliation/recognition has been granted to the aforesaid college which is not existed on the site and runs only on the papers.
- C. Also for necessary relief/ reliefs order/ orders, direction/ directions for which petitioner entitled in the eyes of law.

We have perused the affidavit dated 03.03.2022 filed on behalf of the respondent no. 4. Relevant portion thereof is extracted as under:-

“2. That the visiting team consisting of Dr. (Mrs.) Prem Prabha Singh, Associate Professor of Sam Higginbottom University of Agriculture



Technology and Science, Allahabad and Dr. M.Balamurbyon Professor of Pondicherry University had to visit the institution on 21.02.2022 but Dr. (Mrs.) Prem Prabha Singh refused to go due to health reasons and so as per NCTE policy a new visiting team consisting of Dr. S.S. Gore, Professor, Punyashlok Ahilyadevi Holkar, Solapur, University, Maharashtra and Dr. Mohd. Faijullah Khan, Associate Professor, Jamia Millia Islamia, New Delhi visited there.

3. That ERC in its meeting dated 01.03.2022 on the basis of visiting team report decided to withdraw recognition of B.Ed./D.El.Ed of the institution.”

In view of the intervening developments, learned counsel for the petitioner, under instructions, does not press present petition reserving liberty to take recourse to such remedies as are otherwise available in accordance with law.

Liberty granted.

Equally, liberty reserved to all the parties to take recourse to such alternative remedies as are otherwise available in accordance with law;

We have not expressed any opinion on merits of the matter and all issues are left open;



Instant petition stands disposed of.

Interlocutory application, if any, shall also
stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/Ashwini

AFR/NAFR	
CAV DATE	
Uploading Date	10.03.2022
Transmission Date	

