

3 04.11.2022
Sc Ct. no.22

WPA 22441 OF 2022

Post Graduate Govt. Institute for
Physical Education, Banipur, Habra

Vs.

National Council of Teacher Education & Ors.

Mr. Indranil Roy
Mr. Sunit Kumar Roy.

.... For the Petitioner

Mr. Sauvik Nandy

.... For the NCTE

Mr. Swapan Kumar Datta
Mr. Tapas Kr. Mandal.

... For the Respondents/
State

Pursuant to the direction made on September 28,
2022, this writ petition has appeared today.

Mr. Indranil Roy, learned counsel appearing for the
petitioner prays for leave to file supplementary affidavit to
bring on record the subsequent development made in the
case in terms of the earlier order dated September 28,
2022.

Such leave is granted.

The supplementary affidavit affirmed on October
31, 2022, is taken on record.

The issues involved in this writ petition is that the
recognition of a Government Post Graduate Physical
Education College (for short the said college), while
advancing its Bachelor Degree, was taken away by the
respondent no.1 through its impugned order dated
September 2, 2019.

Pursuant to the order dated September 28, 2022 a decision was taken by the Chairperson, Eastern Regional Committee (for short E.R.C.) dated October 11, 2022, **Annexure-P17** to the supplementary affidavit. Since the said order dated October 11, 2022 is not under challenge before this Court in a properly constituted proceeding, this Court cannot travel on the same at this stage.

However, the petitioner shall be at liberty without prejudice to its all rights and contentions to challenge the said decision of the Chairperson, E.R.C. dated October 11, 2022 if the petitioner is entitled to do so in accordance with law.

It is made clear that this Court has not gone into the assessment of the said decision of the Chairperson, E.R.C. dated October 11, 2022 in any manner whatsoever and all points including the points taken in **WPA 22441 of 2022** shall be kept open for the petitioner to challenge the same in accordance with law.

With the above observation, this writ petition **WPA 22441 of 2022** stands disposed of without any order as to costs.

All parties shall act on the server copies of this order duly downloaded from the official Website of this Hon'ble Court.

(Aniruddha Roy, J.)