

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5708 of 2023

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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 Secretrary, 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. Prateek Tandon, Advocate
For the NCTE	:	Mr. Sunil Kumar Singh, Advocate
For the University	:	Mr. Mrityunjay Kumar, Advocate
For the Respondent/s	:	Smt. Binita Singh (SC-28)
		Mr. Vivek Anand Amritesh, AC to SC-28

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 14-07-2023

The petitioner is aggrieved with the continuance of



one Engineer Upendra Sharma Teachers Training College Village-Telhara Khurd, Dhaka, East Champaran, Bihar. The petitioner had approached this Court earlier and after an inspection was conducted, the affiliation to the College was withdrawn by the National Council for Teachers Education(for brevity 'NCTE'). The factum of such withdrawal was also apprised to this Court recording which the writ petition filed earlier, numbered as C.W.J.C. No. 2393 of 2021, was closed.

2. The petitioner filed the above writ petition on the ground that again persons were admitted and courses are being continued. The 6th respondent by their affidavit dated 09.05.2023 has produced an order of the Delhi High Court at Annexure-13. The Delhi High Court has permitted the admissions of 2022-23 to be continued since the withdrawal of the affiliation was with effect from the academic session 2023-24.

3. The Delhi High Court has also observed that they have not examined the withdrawal order which the College could challenge in appropriate proceedings. The same is already under challenge and is pending before the Appellate Authority of the NCTE. In such circumstances, we do not think that the writ petition needs to be entertained.



4. The same is accordingly dismissed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

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AFR/NAFR	NAFR
CAV DATE	
Uploading Date	18.07.2023
Transmission Date	

