

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21854 of 2018

1. Mithila Teachers Training College and Anr
2. Md. Ishteyaque Ahmad, Secretary, Mithila Teachers Training College,
at P.O.- Basaura, District- Madh

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Chancellor, Universities of Bihar, Raj Bhawan, Patna.
3. The Principal Secretary to the Governor-cum-Chancellor, Raj Bhawan,
Patna.
4. The Vice Chancellor, Lalit Narayan Mithila University, Kameshwar Nagar,
Darbhanga.
5. The Registrar, Lalit Narayan Mithila University, Kameshwar Nagar,
Darbhanga.
6. The Principal Secretary, Department of Education, Government of Bihar,
Patna.
7. The National Council for Teacher Education, Eastern Regional Committee,
15- Neelkanth Nagar, Nayapa
8. The Regional Director, Eastern Regional Committee, National Council for
Teacher Education, 15-Neelk

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Jagnnath Singh, Adv.
For the State	:	Ms. Namrata Singh, AC to GA 12
For the N.C.T.E.	:	Mr. Sunil Kumar Singh, Adv.
For the University	:	Mr. Kinkar Kumar, Adv.
		Mr. Aayush Abhishek, Adv.

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

3 14-02-2023 1. The petitioner by way of this writ petition has
prayed as under:

*“(i) For issuance of an appropriate writ
in the nature of certiorari for quashing Memo No.
BSU-34/2018/2419/G.S. (1) dated 22.09.2018 (the
copy of which is not available with the petitioner*



and the respondents may be directed to produce the same) issued from the office of the Hon'ble Chancellor, Universities of Bihar, Patna (Respondent No. 2) whereby and whereunder the Vice Chancellor, Lalit Narayan Mithila University, Darbhanga (Respondent No. 4) has been directed to constitute a committee to inspect the B.Ed. Colleges running under the jurisdiction of L.N. Mithila University, Darbhanga on regular basis and take proper legal steps in respect of the institution which do not fulfill the affiliation condition of the requisite teaching standard.

(ii) For issuance of appropriate writ in the nature of Certiorari quashing Memo No. 889-920/18 dated 26.09.2018 issued under the signature of Registrar, Lalit Narayan Mithila University, Darbhanga (Respondent No. 5) in pursuance of the direction as contained in Letter of the Principal Secretary to the Governor-cum Chancellor, Raj Bhawan, Patna issued under memo No. BSU-34/2018/2419/GS (1) dated 22.09.2018 constituting and inspection team to inspect B.Ed. Colleges running under the jurisdiction of L.N. Mithila University, Darbhanga on regular basis in most illegal and arbitrary manner without there being any authority of law (Annexure 3).



(iii) For issuance of appropriate writ/rule in the nature of certiorari for quashing Letter No. 15714-40/18 dated 29.09.2018 issued under the signature of Registrar, Lalit Narayan Mithila University, Darbhanga addressed to all the Principals of Teachers Training College within the jurisdiction of Lalit Narayan Mithila University, Darbhanga, indicating tht the three Members of the inspecting team may inspect B.Ed. Colleges without there being any previous information and it has also been directed that the inspecting team which would go to inspect the college would be paid there travelling allowances/Haultage allowances in accordance with law by the College concerned (Annexure 4).

(iv) For issuance of an appropriate writ holding and declaring that the Hon'ble Chencellor of the Universities of Bihar and the Vice Chancellor, Lalit Naryan Mithila University has not authority and jurisdiction to inspect the training college of the petitioner which has been duly recognised by the Easter Regional Committee of the National Council for Teachers Education, and have been duly affiliated by the respondent lalit Narayan Mithila University, Darbhanga after making appropriate inspection/inquiry on the inspection fee deposited by



the petitioner institution for grant of No Objection Certificate and then only recognition has been granted by the Eastern Regional Committee of the National Council for Teacher Education being the precondition for filing application for recognition after regulation 2014 came into effect.

(V) For issuance of an appropriate writ holding and declaring the exercise of the Hon'ble Chancellor of Lalit Narayan Mithila University, Darbhanga with regard to inspection of the institution by a team constituted for inspection to be wholly illegal in the teeth of the provision of Central Act i.e. NCTE Act, 1993 and the regulation framed from time to time when on the previous occasion this Hon'ble court while incision of the matter in CWJC No. 9230/2016 and other analogous cases the matter has been transferred to the Hon'ble Supreme Court in writ petition(s) (Civil) No. (s) 694/2017 (ST. Paul Teacher Training College Versus The State of Bihar & Anr) by order dated 01.09.2017 and thereafter the matter is still pending consideration.

(vi) For issuance of any other order/orders or relief/reliefs for which the petition may be found to be entitled in the facts and circumstances of this case."

2. This writ petition was filed in 2018. By efflux of



time, this Court finds that the order must have been already complied with, inspection must have been done.

3. The consequential orders if any may be passed if not so passed.

4. The petitioner if aggrieved may take up the matter challenging the same in appropriate forum.

5. Accordingly, the writ petition is dismissed.

(Sanjeev Prakash Sharma, J)

Suraj/-
Item No. 54

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