

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14564 of 2021

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JRA Teachers Training College Keshopur P.S.- Balukaram, Dist. - Vaishali, Bihar - 844113 through its Secretary Jageshwar Ray, male, aged about 58 years, S/o Ram Pratap Ray, R/o Gorigama, Garh Gosai Das, Vaishali, Bihar - 844122.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department.
2. The Director, Higher Education, Bihar, Patna.
3. The Bihar School Examination Board, through its Secretary.
4. The Secretary, Bihar School Examination Board, Patna.
5. The Chaiman, NCTE, New Delhi.
6. The National Council for Teacher Education (NCTE) through its Regional Director, Eastern Regional Committee 15, Neelkanth Nagar, Nayapalli, Bhubaneswar, Orissa.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Suman Kumar, Advocate
For the State	:	Mr.Jitendra Kr. Roy 1, SC-13
For the B.S.E.B.	:	Mr. Manish Kumar, Advocate
For the N.C.T.E.	:	Mr. Sunil Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 24-08-2023 Heard learned counsel for the petitioner, learned counsel for the Bihar School Examination Board and learned counsel for the National Council for Teacher Education (hereinafter referred to as the 'N.C.T.E.').

2. Petitioner in the present case is seeking a writ in the nature of mandamus commanding the respondents to grant recognition to the petitioner college for additional one unit (50 seats) for D.El.Ed. course.

3. Learned counsel for the petitioner submits that



although the relevant academic years during which the petitioner was seeking recognition of additional one unit has already expired, he is looking for the same recognition for the coming academic year.

4. Learned counsel for the N.C.T.E. submits that earlier the request of the petitioner for an additional intake of D.El.Ed. was rejected by the authorities after finding that there was no response from the affiliating body for the selection and approval of the faculty. The decision of the Secretary of the Institution was communicated to the petitioner vide e-mail dated 11.12.2018. The petitioner did not file any appeal against the said order under Section 18 of the NCTE Act, 1993 within the prescribed period, hence, the said order has attained finality. Learned counsel further submits that in future when the portal of the N.C.T.E. is opened for fresh proposal, the petitioner would be at liberty to file afresh and that will be considered in accordance with law.

5. Having regard to the aforementioned facts and circumstances of the case, this Court is of the considered opinion that this writ application, as framed, has become infructuous and cannot proceed. The petitioner may apply afresh in terms of the Rules as and when the portal of the N.C.T.E.



offers the same.

6. This writ application stands disposed of
accordingly.

(Rajeev Ranjan Prasad, J)

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