

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

2024:PHHC:119245-DB



Civil Writ Petition No. 9042 of 2024 (O&M)
Date of Decision: 11.09.2024

Gaurav Bharti Shiksha Sansthan

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE ANIL KSHETARPAL, JUDGE

Present:- Mr. Mansur Ali, Advocate,
Mr. Tushaar Madan, Advocate and
Ms. Amandeep Kaur, Advocate, for the petitioner.

Mr. Saurav Khurana, Addl. Advocate General, Punjab &
Mr. Anurag Chopra, Addl. Advocate General, Punjab,
for the respondents.

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. Challenge in this petition is to the order dated 04.03.2024 (Annexure P-16) passed by respondent No.1 whereby the State authorities refused to grant 'No Objection Certificate' for setting up a new B.Ed. college by giving finding that National Council for Teacher Education (NCTE) had wrongly granted recognition to the petitioner-institute in the year 2015.

2. The State of Punjab has come up with a reply which reveals that a policy decision was taken by the State Government on 31.08.2016 for not allowing opening of any new B.Ed. College in the State of Punjab after 31.05.2015 because of various problems being faced in the old set up where it was found that almost 40% seats of B.Ed. course remain vacant. Thus a decision was taken at the highest level that no further No Objection Certificate would be issued for opening of new B.Ed. colleges under two years course regime.

3. The new policy framed under the new National Educational Policy of 2020 provides for a four years integrated B.Ed. degree course where the curriculum prescribed is at variance to one followed in earlier two years degree course.
4. The only apprehension expressed by learned counsel for the petitioner is that the earlier order of rejection passed by the respondent-authorities vide Annexure P-16 may not come in its way while applying under the new policy.
5. After hearing learned counsel for the rival parties, this Court is of the considered view that no useful purpose would be served by keeping this petition pending. Accordingly, this petition stands disposed of with liberty to the petitioner to apply afresh under the new educational policy issued by the Government of Punjab vide notification dated 02.08.2024 on the basis of National Educational Policy-2020 and if the petitioner institute satisfies all the pre-requisites under the new policy, then the orders passed earlier especially Annexure P-16 under the old regime shall not come in its way.
6. With the aforesaid liberty, the petition stands disposed of. All the pending applications, if any, also stand disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(ANIL KSHETARPAL)
JUDGE

11.09.2024

ravinder

Whether speaking/reasoned	√Yes/No
Whether reportable	Yes/No√