



**101 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP-21169-2024 (O&M)
Date of Decision:22.04.2026**

ASSOCIATION OF NCTE APPROVED COLLEGES TRUSTPETITIONER(S)

VERSUS

STATE OF HARYANA AND OTHERSRESPONDENT(S)

**CORAM:- HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. Shailendra Jain, Senior Advocate assisted by
Ms. Ruchi Jain, Advocate and
Ms. Samkiti Jain, Advocate
for the petitioner.

Mr. Pankaj Middha, Additional Advocate General, Haryana.

Mr. Arjun Partap Atma Ram, Advocate
Mr. Sumbhav Parmar, Advocate
for the applicant(s) in CM-3159-CWP-2026,
CM-3160-CWP-2026 & CM-3161-CWP-2026.

Mr. P. S. Chauhan, Senior Advocate assisted by
Ms. Vasundhra Asija, Advocate
Ms. Nikita Goel, Advocate
Ms. Naina Rawat, Advocate and
Mr. Prince Singh, Advocate
for respondent No.3-BSEH.

Mr. Karan S. Gill, Standing Counsel and
Mr. Aarav Singh Gill, Advocate
for respondent No.5-NCTE.

ASHWANI KUMAR MISHRA, J. (Oral)

CM-2671-CWP-2026 (placing on record)

1. This application under Section 151 CPC has been filed on behalf of the applicant-petitioner seeking placing on record copy of order dated 10.07.2025 passed in CWP No.21169 of 2024 and list of 53 students who have participated in the examination in light of order dated 10.07.2025 as Annexure P-16 and P-17 respectively.

2. For the reasons mentioned in the application, the same is **allowed**. Annexure P-16 and Anneuxre P-17 are taken on record, subject to all just exceptions. Registry is directed to do the needful.

CM-3160-CWP-2026 (impleadment)

3. Applicants, in this application, have been heard in detail as intervenors.

4. Accordingly, the instant application stands **disposed of**.

CM-5912-CWP-2026 (placing on record)

CM-6207-CWP-2026 (placing on record)

5. CM-5912-CWP-2026 has been filed on behalf of the applicant-petitioner, under Section 151 CPC, seeking placing on record additional affidavit of Dr. Satya Vir Arya, National President, Association of NCTE Approved Colleges along with Annexures P-18 to P-22.

6. CM-6207-CWP-2026 has been filed on behalf of the applicant-petitioner, under Section 151 CPC, seeking placing on record supplementary affidavit to additional affidavit of Dr. Satya Vir Arya, National President, Association of NCTE Approved Colleges along with Annexure P-23.

7. For the reasons mentioned in the applications, the same are **allowed**. The documents appended with these applications are taken on record, subject to all just exceptions. Registry is directed to do the needful.

CM-5927-CWP-2026 (placing on record)

8. This application under Section 151 CPC has been filed on

behalf of the applicant-petitioner seeking placing on record reply filed on behalf of the petitioner to the application under Order I Rule 10 read with Section 151 CPC for impleadment.

9. For the reasons mentioned in the application, the same is ***allowed***. Reply filed on behalf of petitioner to the impleadment application is taken on record, subject to all just exceptions. Registry is directed to do the needful.

Main Case (O&M)

10. This writ petition is filed by the Association of NCTE Approved Colleges Trust (for short, '***petitioner-Association***'), which is running various Self-Finance Private Institutions imparting education in the field of Diploma in Elementary Education (for short, '***D.EI.Ed***') in the State of Haryana. They have approached this Court for a direction to the respondents to register the students admitted by the member Colleges of the petitioner-Association in D.EI.Ed course in the month of March, 2024 and to grant them enrolment numbers, admit cards *etc.*, or in alternative to direct the respondents to compensate the member Colleges of the petitioner-Association at the rate of Rs.51,600/- per student for the loss which would be caused to the member Colleges on account of delay/failure in registering the students already admitted by the member Colleges of the petitioner-Association. A further prayer is made to command the respondents, to conduct 1st year D.EI.Ed examinations as has been conducted in the case of minority institutes of the State of Haryana for the Academic Session 2023-25.

11. The prayer made in the writ petition is not only astonishing, but the material placed on record reveals a systemic flaw wherein a binding precedent of the Hon'ble Supreme Court of India is being openly thrown to the winds. The manner in which the authorities of the State of Haryana have failed to adhere to the binding directions of the Supreme Court and the fact that in most cases, admissions are being undertaken in breach of those directions is alarming. We are, therefore, compelled to take up the matter in right earnest and to issue such necessary direction(s) as may be required to ensure compliance with the orders passed by the Supreme Court in ***Maa Vaishno Devi Mahila Mahavidyalaya vs. State of U.P. and others, (2013) 2 SCC 617***. The concern of delayed commencement of educational sessions in different courses received the attention of the Supreme Court in ***Maa Vaishno Devi Mahila Mahavidyalaya (supra)***, wherein the Court issued following directions in para 91:-

“91 In furtherance of the above order, we are informed that the admissions had been granted in the recognised and affiliated institutes. In the colleges which were neither recognised nor affiliated, whether or not included in the list of counselling, no admissions were given to the students. The petitioner/appellant colleges fall in that category. We do not propose to grant any relief to them in the present writ petitions and appeals except issuance of certain directions. Consequently and in view of our above discussion, we dispose of all these appeals/writ petitions with the following directions:

91.1. *The Schedule stated in College of Professional*

Education [(2013) 2 SCC 721] and in this judgment in relation to admissions, recognition, affiliation and commencement of courses shall be strictly adhered to by all concerned including NCTE, the State Government and the University/examining body.

91.2. *In the event of disobedience of schedule and/or any attempt to overreach or circumvent the judgment of this Court and the directions contained herein, the person concerned shall render himself or herself liable for proceedings under the Contempt of Courts Act, 1971 and even for departmental disciplinary action in accordance with law.*

91.3. *We hereby direct NCTE/State Government/Examining or Affiliating body to consider the applications and pass appropriate orders granting or refusing to grant recognition/affiliation to the petitioner institutions within three months from today.*

91.4. *If the institutions are aggrieved from the order passed by the authorities in terms of clause 91.3 (supra), they will be at liberty to challenge the same in accordance with law.*

91.5. *NCTE shall circulate the copy of this judgment to all Regional Committees, State Governments and all affiliating bodies concerned and also put the same on its website for information of all stakeholders and public at large.*

91.6. *The interim order dated 27-9-2012 is made absolute.*

12. The Schedule for admission was earlier provided for the Academic Session 2012-13, which was to be enforced in all subsequent academic sessions. The Schedule reads as under:-

1	01.02.2011	Publication of Advertisement
2	10.02.2012 to 10.03.2012	Sale of Application Forms and their submission
3	20.04.2012 to 25.04.2012	Date of Entrance Examination

4	25.05.2012 to 30.05.2012	Declaration of Result
5	01.06.2012 to 25.06.2012	Commencement and Completion of counselling
6	28.06.2012	Last Date of Admissions after counselling
7	01.07.2012	Commencement of Academic Session

13. The directions issued in **Maa Vaishno Devi Mahila Mahavidyalaya (supra)** and in the case of **College of Professional Education & Others Vs. State of Uttar Pradesh** in IA No.115 and 116 of 2014 in Civil Appeal No.5914 of 2011, decided on 26.09.2014, has been notified and the Schedule, which has been specified by the Supreme Court, is supposed to be adhered to in all subsequent Academic Sessions. It would equally apply to the Academic Session 2023-25 also. We are cognizant of the fact that in certain special circumstances like Covid-19 *etc.*, some departure has been made by the Court, but the Schedule, which has otherwise been laid down for observance in routine years, remains unaltered.

14. As per the aforesaid Schedule, the admissions have to conclude by the Month of June of the respective year so that the Academic Session begins on 1st of July of that year concerned. It is therefore apparent that the National Council for Teacher Education (for short, '**NCTE**'), Board of School Education, Haryana and the concerned Colleges are under an obligation in law to adhere to the Schedule indicated above. Our attention has also been invited to an order passed by the Division Bench of this Court dated 10.08.2015 in the case of **State of Punjab and Others Vs. Self-Financed B.Ed. Colleges Association,**

Punjab and Others, LPA No.1267 of 2010, wherein the Division Bench has issued the following directions in paragraph Nos.34 to 37:-

“34. Accordingly, in our opinion, a direction is liable to be issued to the State of Punjab that the State should hold a Common Entrance Test as per its policy for the B.Ed. Course before the start of every academic year for admission to the College of Educations situated in the State which are recognized and affiliated. The admission shall be made upon the merit obtained in the test conducted in accordance with the laid down norms and to the extent of the intake capacity prescribed by the Council. The said exercise should be carried out two months in advance before the start of the academic basis of the result so declared. session so that the students are not left in suspense and can apply for admission on the basis of result so declared.

35. Consequently, the issues arising in these appeals are answered against the association and it is held that they do not have any absolute right to remain out of the CET to be conducted by the State even though they are unaided and recognized institutes, in the absence of any challenge to the regulations issued under the NCTE Act.

36. It is also held that by holding CET, Article 19(1)(g) of the Constitution of India is not violated as the paramount consideration being merit and the State having the authority under the Statute can hold the test and it only amounts to a regulatory measure on the admission process and does not impinge on the autonomy of the unaided institutes to run and administer the same.

37. As a upshot of the above discussion, the present appeals are allowed. The judgment of the Learned Single Judge dated 01.07.2010 passed in CWP No. 10091 of 2009 is set aside and the writ petitions are dismissed. However, the

State shall remain bound by directions hereinbefore made and shall comply with the same for the next academic session, i.e., 2016 onwards as the admission for the year 2015-16 is under process. It is further clarified that any admissions, made in pursuance of the judgment of the Learned Single Judge and in view of the examinations conducted by the Association, will not stand affected by the present judgment, directions of which are to operate from the academic session 2016-17.”

15. The conduct of the D.El.Ed. course is regulated by the statutory regulations framed by the NCTE, namely the National Council for Teacher Education (Recognition Norms and Procedure) Regulations, 2015. These Regulations have been framed under the National Council for Teacher Education Act, 1993. Appendix 2 to the National Council for Teacher Education (Recognition Norms and Procedure) Regulations lays down the norms and standards for the D.El.Ed. programme. It provides that the D.El.Ed. is a two-year professional programme of teacher education, intended to prepare teachers for the elementary stage of education, i.e., Classes I to VIII. The aim of elementary education is to fulfil the basic learning needs of all children in an inclusive school environment, bridging social and gender gaps with the active participation of the community. The duration of the programme extends to two academic years, however, students are permitted to complete the programme within a maximum period of three years from the date of admission. The Regulations also prescribe that there shall be 200 working days each year, exclusive of the period of examination and admission.

The institution is required to function for a minimum of 36 hours per

week, during which the physical presence of all teachers and student-teachers is necessary to ensure their availability for advice, guidance, dialogue, and consultation as and when required. The minimum attendance of student-teachers shall be 80% for all coursework, including practicum, and 90% for school internship. Clause 3 of Appendix 2 specifies ‘*Intake, Eligibility, Admission Procedure and Fees*’. The admission procedure is prescribed in Clause 3.3, which reads as under:-

“3.3 Admission Procedure

Admission shall be made on merit on the basis of marks obtained in the qualifying examination and/or in the entrance examination or any other selection process as per the policy of the State Government/UT Administration”

16. The aforesaid Regulations, therefore, clearly mandate the procedure for admission on the basis of marks obtained in the qualifying examination and/or in the entrance examination or any other selection process, as per the policy of the State Government/U.T. Administration. In furtherance of Clause 3.3 aforesaid, the State of Haryana has been formulating a policy for admission each year in the D.El.Ed. course.

17. We are informed that for the current Academic Session 2026-28, no policy has so far been formulated by the State of Haryana. However, for the Academic Session 2023-25, certain disputes arose, and the issue was brought to this Court on account of which the admission process was stalled under orders of the State Government. A Notification has been issued by the Government of Haryana, School Education Department, stating that the State Government has decided to discontinue the D.El.Ed course in all Block Institute of Teacher Education (*BITEs*)

and other public and private Colleges w.e.f. Academic Session 2022-23 in consonance with the National Education Policy, 2020.

18. A notification issued by the Government of Haryana on 07.11.2022, aforesaid, came to be challenged in a writ petition filed by Haryana Self-Finance Private Colleges Association in CWP No.20342 of 2023. The said writ petition ultimately came to be allowed by the Division Bench on 22.02.2024 vide following orders:-

“

20. In the light of the afore discussion, we are of the view that the impugned decision taken by the State of Haryana dated 07.11.2022 and the decision of the Director dated 04.09.2023 are unsustainable. Resultantly, they are set aside. However, our order shall not preclude the competent authority(s) to take steps in the future to implement the 2020 policy, in accordance with law.”

19. The Division Bench judgment was then challenged before the Supreme Court in SLP (Civil) Diary No(s).24243 of 2024, which was dismissed on 09.08.2024. In view of the facts, aforesaid, it is apparent that in all State Educational Institutes, no admissions were granted during the Academic Session 2023-25.

20. Before us, the petitioner-Association claims to be representing 69 Colleges, which asserted that they have admitted students on the basis of marks secured by students in the Senior Secondary Examination results.

21. There is yet another Association, *i.e.* Haryana Self-Finance Private Colleges Association which is representing 284 Self-Finance Private Educational Institutes running D.El.Ed course. The intervenors state that they have not admitted any student in the Academic Session 2023-25, as no interim protection was granted in their writ petition.

22. The petitioner-Association, however, has proceeded to admit about 3292 students. In paragraph 17 of the writ petition, reference is made to the dates when these admissions were made. As per which, the admission process was concluded by 31.03.2024.

23. An application has subsequently been filed in the writ petition stating that out of the total admitted students, *i.e.* 3292, about 65 are in the present writ petition, an order was passed on 18.03.2025 directing the concerned authorities to inspect these educational institutions and submit a reply.

24. At the time of the inspection conducted by the Deputy Director-cum-Nodal Officer, SCERT, Haryana, out of approximately 3,000 students admitted, only 63 students were found present in 4 out of the 69 colleges. Out of these 63 students, only 33 actually appeared in the examination. An application has now been filed seeking a direction to the respondents to declare the results of these 33 students. It is at this stage that the intervenors have raised objections to the prayer made in the writ petition and have also questioned the legality of admitting students after the cut-off date fixed under the orders of the Supreme Court.

25. We took cognizance of the grievance in this regard and

called upon the petitioner-Association to explain the circumstances by filing an affidavit *vide* order dated 23.03.2026.

26. In furtherance of such directions, the petitioner-Association has filed multiple affidavits and applications stating that the State Council of Education Research and Training, Haryana (for short, ‘**SCERT**’) while laying down the admission schedule for each Academic Session(s), has permitted the admission to be undertaken far beyond the prescribed date fixed in the judgment of the Supreme Court. The Schedule has been mentioned in Annexure P-19, which reads as under:-

LIST OF ADMISSION/COUNSELLING SCHEDULE OF D.EL.ED. COURSE (2 YEARS) BY SCERT					
Sr. No.	Counselling Authority in Haryana	Academic Session	Admission end date as per schedule fixed by Supreme Court judgment in Maa Vaishno Devi's case	Counselling end date	Approximately delay in months in admission process
1	SCERT, Haryana	2014-16	28-06-14	09-11-14	4 ½ months
2	SCERT, Haryana	2017-19	28-06-17	17-10-17	3 ½ months
3	SCERT, Haryana	2018-20	28-06-18	19-12-18	5 ½ months
4	SCERT, Haryana	2019-21	28-06-19	16-11-19	4 ½ months
5	SCERT, Haryana	2020-22	28-06-20	08-03-21	8 ½ months
6	SCERT, Haryana	2021-23	28-06-21	21-02-22	8 months
7	SCERT, Haryana	2022-24	28-06-22	07-01-23	6 ½ months
8	SCERT, Haryana	2024-26	28-06-24	22-01-25	7 months
9	SCERT, Haryana	2025-27	28-06-25	06-01-26	7 months
Direct Admissions for the Session 2025-27 By Director, SCERT, Haryana after counselling end date against prospectus					

27. Learned Senior Counsel for the petitioner-Association states that though as per the binding directions of the Supreme Court in **Maa Vaishno Devi Mahila Mahavidyalaya (supra)**, the process of admission for each Academic Session is required to be concluded by the end of 18th June such that the Academic Session commences from 1st of July of the next Session yet the concerned body which regulates the course in the State of Haryana has itself not followed such direction and the process of

admission has been allowed far beyond that. It is also stated that the SCERT has been permitting admission to be made even after the last date fixed in the prospectus for admission for the respective sessions.

28. It is on the strength of such action of the SCERT that the petitioner-Association contends that the cut-off date fixed by the Supreme Court has not been followed in letter and spirit by the State itself, as such, the Schedule cannot be made the basis for objecting to the admissions made by the colleges of the petitioner-Association beyond 18th June of the academic session concerned.

29. We may take note of the fact that for the Academic Session 2023-25, though the earlier policy of the State stood quashed but there was no positive act on the part of the State in permitting the petitioner-Association to admit students in the concerned Academic Session. According to the State of Haryana, the permission has been granted to admit students for the Academic Session 2024-26 onwards and not for the Academic Session 2023-25.

30. At this stage, learned Senior Counsel for the petitioner-Association has also made a statement before the Court that apart from 63 students, who have appeared in the examination for the Academic Session 2023-25, all other students who were admitted (numbering 3292) have been treated as having been admitted in the next Academic Session. It is in the context of the aforesaid facts that the prayer made in the writ petition needs to be examined.

31. There is a rationale for fixing a cut-off date for the

commencement of the academic session in any educational programme, so that not only are the students made aware of the commencement of the session in advance, but also the entire academic schedule is structured in a manner that ensures the required course content is effectively taught during the academic session. The necessity of issuance of directions by the Supreme Court in ***Maa Vaishno Devi Mahila Mahavidyalaya (supra)*** clearly recognize this importance that is why a specific direction was issued for the process of admission to be initiated well in advance such that it is concluded by 28th June, 2012. The object was to ensure that the commencement of Academic Session takes place on the 1st of July of the respective Academic Session. There is absolutely no reason or justification for the State or other authorities including the private Colleges not to adhere to such a schedule and to allow the admission process to be undertaken in breach of the mandatory schedule laid down by the Supreme Court in ***Maa Vaishno Devi Mahila Mahavidyalaya (supra)***.

32. It would be worth noticing that the directions issued by the Supreme Court in ***Maa Vaishno Devi Mahila Mahavidyalaya (supra)*** is required to be implemented by all concerned, keeping in view the constitutional mandate contained in Article 141 of the Constitution of India.

33. It is in this context that we are required to examine the action of SCERT and the State of Haryana in permitting the admission process to be undertaken much after the cut-off date fixed by the Supreme Court.

We are of the considered view that the State of Haryana is required to frame an appropriate policy well in advance so that the admission process is concluded by 28th June of the relevant year, thereby facilitating the commencement of the academic session from 1st July of that year. The manner in which the State policy has been issued, permitting admissions to be undertaken beyond 28th June of the respective year, cannot be approved. In such circumstances, we are compelled to direct the Chief Secretary, Government of Haryana, the Secretary, Department of School Education, Haryana and the Director, SCERT, to ensure that the policy for admission to the D.El.Ed. course is issued sufficiently in advance so that the admission process is conducted in accordance with the directions issued by the Supreme Court.

34. For the current academic session 2026–28, we direct the State of Haryana to formulate its policy and notify it prior to 30th April 2026. The same shall be followed in all subsequent years as well. The process of admission, in terms of the statute and in accordance with the policy framed by the State, consistent with the NCTE Regulations, shall be concluded by 28th June so as to ensure that the academic session commences from 1st July. We further clarify that in the case of private minority colleges, their right to manage the institution shall not permit them to admit students beyond the schedule fixed by the Supreme Court in *Maa Vaishno Devi Mahila Mahavidyalaya (supra)*.

35. Notwithstanding the conditions, under which minority status is granted to the minority colleges, the minority institutions will also

adhere to the policy issued by the State and will not be permitted to violate the Schedule fixed in the case of ***Maa Vaishno Devi Mahila Mahavidyalaya (supra)***.

36. We also provide that for any violation of the schedule fixed by the Supreme Court in the case of ***Maa Vaishno Devi Mahila Mahavidyalaya (supra)***, the guilty person(s) shall be held responsible in terms of the directions issued by the Supreme Court in paragraph 91 of the judgment. So far as the State Government is concerned, it shall be the personal responsibility of the Secretary, Department of School Education, and the Director, SCERT, to ensure that the process of admission commences with the publication of the policy by the State in terms of the directions issued in ***Maa Vaishno Devi Mahila Mahavidyalaya (supra)***. Any departure from or violation of the schedule shall render the officers liable in their personal capacity. Any such breach shall also attract contempt proceedings.

37. We make it abundantly clear that when directions are issued by the Supreme Court laying down the policy for running of educational course in the specified Schedule, it would not open for the State or anyone else to violate it by issuing directions contrary to it.

38. Coming to the specific case in hand, we find that the admission granted by the petitioner-Association after the Schedule fixed in ***Maa Vaishno Devi Mahila Mahavidyalaya (supra)*** cannot have the approval of this Court only because departures were made earlier by the SCERT while publishing its Schedule. In the Academic Session 2023-25,

there was no permission granted by the State for the petitioner-Association to admit students and therefore their action in admitting students beyond the cut-off date must be viewed with seriousness.

39. In such circumstances, while admonishing the members of the petitioner-Association for admitting students beyond the cut-off date without any permission granted by the State Government, we also impose a cost on each of the petitioner-Colleges, quantified at Rs.2,00,000/- each which would be deposited with '*Poor Patient Welfare Fund PGIMER Chandigarh*'.

40. We also make it clear that any departure henceforth in admitting students by any of the educational institutions including the State Educational Institutions, will invite not only an act of admonition from this Court but will also entail action for contempt of the orders to be passed.

41. Learned Senior Counsel for the petitioner-Association lastly submits that in the previous Academic Session, students admitted by the minority institutions have been permitted to be admitted much beyond the period prescribed and the results have also been directed to be declared.

42. Though we have deprecated the practice of admitting students beyond the Schedule fixed by the Supreme Court, yet in the peculiar facts of the case, as the 33 students have been permitted to appear in the examination pursuant to interim orders passed in this matter, we direct the respondents to declare the results. Additional cost, at the rate of Rs.1,00,000/- for each student would be deposited by the

concerned colleges over and above the cost fixed for each member of the petitioner-Association in the aforesaid Fund.

43. In view of the above, the instant writ petition is *disposed of*.
44. All pending misc. application(s), if any, also stand disposed of.

[ASHWANI KUMAR MISHRA]
JUDGE

[ROHIT KAPOOR]
JUDGE

APRIL 22, 2026
Rahul Joshi

- | | |
|------------------------------|--------|
| 1. Whether Speaking/reasoned | Yes/No |
| 2. Whether Reportable | Yes/No |