
(2017) 02 JH CK 0125
In the Jharkhand High Court
Case No : 6869 of 2016

Arun Kumar

APPELLANT

Vs

State of Jharkhand, Anr.

RESPONDENT

Date of Decision : 13-02-2017

Acts Referred:

Citation : (2017) 02 JH CK 0125

Hon'ble Judges : Aparesh Kumar Singh

Bench : SINGLE BENCH

Advocate : Santosh Kumar Gautam, ? Altaf Hussain, ?Dr. Ashok Kr. Singh

Judgement

1. Learned counsel for the petitioner submits that in view of the order passed by the Apex Court in I.A. No. 9/2016 in Writ Petition (s) (Civil) No (s). 276/2012 in the

case of Maa Vaishno Devi Mahila Mahavidyalaya Versus State of U.P. & others dated 28.03.2016, the last date for grant of final recognition for Session 2016-17 as

well as grant of affiliation is extended up to 02.05.2016 and 30.05.2016 respectively.

Petitioner college has been granted recognition for 2016-17 Session on 02.05.2016

by NCTE vide Annexure-1 for intake of 50 students. Petitioner college made an application for affiliation on 05.05.2016 before the University well within time vide Annexure-2. University has also recommended the matter for approval of affiliation

for Session 2017-18 by letter dated 09.07.2016 (Annexure-5) to the Directorate of

Higher and Technical Education, Government of Jharkhand. The examination for the

1st Semester of B.Ed Courses 2016-18 is now likely to be held in very near future and that is why, Registration and Examination Forms are being accepted by the University from B.Ed colleges. However, in absence of grant of approval of affiliation, petitioner college has not been able to submit the Registration and Examination Forms, the last date for which is 11.02.2017. However, University is awaiting approval of affiliation from the Directorate.

2. Learned counsel for the State submits that file relating to the grant of approval has been sent for legal opinion.

3. Learned counsel for the petitioner submits that pending adjudication, in order to protect the interest of the students who are undertaking the courses, University

may be directed to accept the Registration and Examination Forms of the students of

this college.

4. Counsel for the University and the State are allowed two weeks time to file counter affidavit positively in the matter. State authorities would come out with their

decision in the meantime also.

5. In the meantime, University should accept the Registration and Examination Forms of the students of the petitioner college for the Session 2016-18 of B.Ed Courses, which however, shall be provisional in nature. I.A. stands disposed of.

6. List it accordingly in the second week of March 2017 under the appropriate heading. It is however made clear that if counter affidavit is not filed within the stipulated time, Respondents shall be asked to pay a cost on the next date.