
(2005) 12 JH CK 0040

In the Jharkhand High Court

Case No : Writ Petition (C) No. 6794 of 2005

Mrs. Seppy Singh and Another

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 21-12-2005

Acts Referred:

Citation : (2006) 1 JCR 326

Hon'ble Judges : S.J. Mukhopadhaya, J

Bench : Single Bench

Advocate : Prakash Chandra Roy, for the Appellant; M.S. Akhtar, for respondents 1 and 2, Anoop Kumar Mehta, for respondents 3 and 4 and P.D. Agarwala, for the Respondent

Judgement

S.J. Mukhopadhaya, J.—This writ petition has been preferred by the petitioners in the capacity of President of Students Union of B.Ed. Course of Jamshedpur Women's College Jamshedpur and in the capacity of President of Students Union, B.Ed. Course of Graduate School College for Women's Jamshedpur.

2. According to them, the students of the college have completed one year's B.Ed. Teachers Training Course and, as such, they should be allowed to appear at the forthcoming examination scheduled to commence from January, 2006.

3. Learned Counsel for the National Council for Teachers Education (hereinafter to be referred as "N.C.T.E.") submits that both the Schools/Colleges having not been recognized for the Sessions 2004-05, their students cannot be allowed to appear at the examination, scheduled to start in January, 2006.

4. Counsel for the Ranchi University submitted that the University is holding examination for the Sessions 2003-04 and 2004-05 in respect of the Colleges/Schools, recognized by the N.C.T.E. in January, 2006.

5. Counsel for the petitioners gave an impression that the petitioners, colleges/schools have also been approved by the N.C.T.E. But from the enclosures,

attached to the writ petition, it appears that the Schools/Colleges, in question, have been recognized by the N.C.T.E. for the Sessions 2005-06. By letter dated 21st April, 2005 the N.C.T.E. has shows its inability to grant reorganization for the Sessions 2004-05, as it cannot grant recognition from a retrospective date.

6. From the notice, published in the newspaper on 5th December, 2004, it appears that the institutions, namely, B.Ed. Course of Graduate School College for Women's Jamshedpur and B.Ed. Course of Jamshedpur Women's College, Jamshedpur, invited applications for admission in B.Ed. Degree Course, which was to start from January, 2005. In the said notice. Session was shown to be 2004-05. In pursuance of the said notice, students of both the institutions have been admitted and they have completed their one year study. From the letter dated 21st April, 2005, issued by the Regional Director, N.C.T.E. Eastern Regional Committee, Bhubaneswar, particularly the subject therein, it will be evident that the authority considered the representation of the Principal Secretary, Primary, Secondary and Higher Education, Department of Human Resource Development, Government of Jharkhand, Ranchi regarding commencement of academic session for B.Ed. Course from January, 2005 but the same has been treated to be the session 2005-06, treating the session starting from January, 2005 as the sessions 2005-06. It has recognized the institutions for the session 2005- 06 that means "for all purposes the admission of the petitioners" students were taken for the session 2005-06, as was treated by the N.C.T.E., though in the notice, published by the institutions, it was shown to be 2004-05.

7. Learned Counsel for the University submits that no separate admission has been taken for the session 2005-06, except the students, who are represented through 1st and 2nd petitioners. It is informed that January, 2006 examination being for the sessions 2003-04 and 2004-05, the students represented by 1st and 2nd petitioners can not be allowed to appear rather they can be allowed to appear at the next examination, as may be held for the session 2005-06.

8. In the facts and circumstances, no direction can be given to the respondents to allow the members of the petitioners-union to appear at the forthcoming B.Ed. Examination to be held by Ranchi University in January, 2006. But taking into consideration the facts and circumstances, it is directed to treat the students of these institutions, in question, as B.Ed. students for the session 2005-06 and to hold their examinations at an early date, preferably by April, 2006, they having already completed their session. In such case, both the institutions will forward the list of students, who have completed B.Ed. Course against the seats, sanctioned by the University.

9. The writ petition stands disposed of with the aforesaid observations and directions.