

(2010) 08 JH CK 0071
In the Jharkhand High Court

Radha Govind Teachers' Training (M. Ed.) College	APPELLANT
Vs	
Vinoba Bhave University and Others	RESPONDENT

Date of Decision : 19-08-2010

Acts Referred:

Citation : (2010) 08 JH CK 0071

Hon'ble Judges : R.K. Merathia, J

Bench : Single Bench

Judgement

R.K. Merathia, J.—Heard.

According to the petitioner, respondent No. 6-National Council for Teachers Education, Eastern Regional Committee (N.C.T.E for short) has granted recognition to petitioner's institution by order dated 15.5.2009 for conducting M. Ed. course, subject to certain conditions and accordingly petitioner applied for grant of affiliation and permission for taking admission for running the said course from the Session 2009-2010 on 3.6.2009 (Annexure-2) but no decision has been taken by the University. He relied on paragraphs 63,74,79, 80 and 82 of the judgment reported in State of Maharashtra Vs. Sant Dnyaneshwar Shikshan Shastra Mahavidyalaya and Others,

2. On the other hand, Mrs. Choudhary, appearing for the University, referred to clause 3(iii) and (iv) of the said order of N.C.T.E. and submitted that petitioner could take admission only after obtaining affiliation from the University and fulfillment of all such other requirement as may be prescribed by the University but petitioner did not comply with the formalities for affiliation and therefore it was not granted.

3. Mr. Agarwal, appearing for the N.C.T.E., referring to the judgment of State of Maharashtra (supra) submitted that it is true that as per the said order dated 15.5.2009 of the N.C.T.E., petitioner was/is required to obtain affiliation from the University but in view of the said judgement, grant of affiliation has become more or less a formality. He further submitted that however before obtaining

affiliation, petitioner can not be allowed to take admission.

4. In reply, Mr. Mehta, appearing for the petitioner, submitted that petitioner is ready to comply with the formalities, if any, in terms of the said judgment of State of Maharashtra (supra) and the said order of N.C.T.E. dated 15.5.2009.

5. Apparently, the order dated 15.5.2009 issued by the N.C.T.E. cannot be made applicable till the requirement of clause 3 (iii) and (iv) is fulfilled by the petitioner.

Accordingly, petitioner is permitted to make a fresh application for affiliation and permission for taking admission for running M. Ed. Course from the session 2010-11 within two weeks, on which University will take a decision and will communicate it to the petitioner within four weeks from the date of such application. The University will act in terms of the said decision of Supreme Court and will not insist for repeating the exercise done by N.C.T.E, before passing the order dated 15.5.2009. It also appears from the said order that the State Government has already recommended petitioner's case.

With these observations and directions, this writ petition is disposed of. However, no costs.