

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 13847/2020

Anil Kumar S/o Lekh Ram

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

Connected With

S.B. Civil Writ Petition No. 502/2022

Lekhpal Singh S/o Hem Singh

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

For Petitioner(s)	:	Mr. Manoj Kumar Bhardwaj Mr. Akshit Gupta for Mr. Vigyan Shah, AAG
For Respondent(s)	:	Mr. B.S. Chhaba, AAG with Mr. Avinash Chaudhary Ms. Sweta Pareek

HON'BLE MR. JUSTICE SAMEER JAIN

Order

22/03/2024

In the instant petitions, learned AAG has taken requisite instructions from the appropriate authority. He has placed reliance upon Annex. 3 i.e. order dated 04 April, 2005 issued by the NCTE, wherein, he has relied upon condition nos. 3 & 4, which are re-produced below:-

“The recognition is subject to the condition that the affiliating body shall ensure that, among other things, the institution has appointed required number of faculty members (including

Principal/Head of Department), as per the norms of the NCTE/State Govt. /Affiliating body.

Further, the recognition is subject to fulfillment of all such other requirements as may be prescribed by other regulatory bodies like SCERT/State Government etc.”

Placing reliance upon the same, learned AAG submitted that the petitioners were not having the requisites, as the mark-sheet and certificates so advanced were not issued by a recognized institute. Learned counsel submitted that post the Year 2010, recognition was subject to fulfillment of all other requirements as may be prescribed by other regulatory bodies like SCERT/State Government etc. It is submitted by learned counsel that after the Year 2010 only, was the regulatory body i.e. SCERT created.

Learned counsel further submitted that Rama College of Education, situated at 224 Arya Nagar Suraj Kund Road, Meerut was not specified in the list of affiliated colleges. It is also specified that there was no permission granted by the Competent Authority for issuance of certificate and mark-sheet.

Therefore, in light of the foregoing submissions, learned AAG submitted that post the Year 2010, the mark-sheets issued by the Rama College of Education cannot be recognized.

In said facts and circumstances, we direct the petitioners to implead Rama College of Education as a necessary party and to file the amended cause title accordingly.

Needful be done within a period of three days.

List on 08.04.2024.

It is made clear that the rights of the petitioners will be protected and will be subject to the final outcome of the present writ petition.

(SAMEER JAIN),J

DEEPAK/s-422 & 424