

CWP-20036-2017
Along with
CWP-20329-2017

Sadbhavna College of Education for
Women
Versus
Panjab University & Ors.

Present: Mr. Rajiv Atma Ram, Senior Advocate with
 Mr. Arjun Pratap Atma Ram, Advocate
 Mr. Sameer Sachdeva, Advocate for the petitioners

Mr. Subhash Ahuja, Advocate for PU

Ms. Anu Pal, AAG Punjab

Mr. Sandeep Jasuja, Advocate NCTE

(1) We have heard learned counsel for the parties at a considerable length on the question of eligibility conditions for admission to B.Ed. Courses in the private unaided colleges/institutes in the State of Punjab. It is true that a Coordinate Bench in **LPA No.1267 of 2010 [State of Punjab vs. Self Financed B.Ed. Colleges Association, Punjab (Regd.) & Anr.]** vide judgment dated 10.08.2015 directed the State of Punjab to hold a Common Entrance Test (CET) for B.Ed. course and further directed that “*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...*”. It is also an admitted fact that in the CET conducted by the State of Punjab, only 16000 candidates appeared as against the 23840 sanctioned seats. The entrance test was conducted by the State of Punjab in terms of its notification dated 10.07.2017 whereunder the Panjab University, Chandigarh has been authorized to conduct the CET and counseling for admission to B.Ed. Course.

(2) The Admission Committee of the Panjab University vide its impugned decision dated 02.09.2017 has resolved that the Colleges of Education situated in Punjab shall fill the vacant seats upto 12.09.2017 only on merit basis of

those candidates who have qualified CET (B.Ed.-2017) conducted by the Panjab University.

(3) The factual situation is that till today only 8790 candidates out of those who have qualified the CET (B.Ed. – 2017) have reported for admission. The petitioner-Institutes thus have apprehension that about 15000 seats duly sanctioned by NCTE are likely to remain unfilled.

(4) It is their contention that there is no rationale or logic behind prescribing the cut-off date of 12.09.2017 for granting admission.

(5) We find merit in the contention. The prescription of 12.09.2017 as the last cut-off date is stayed. The petitioner-Institutes or other B.Ed. Colleges are permitted to admit, as of now, only those candidates who have qualified CET (B.Ed. – 2017) conducted by Panjab University till further order. The Admission Committee is directed to report back on the next date of hearing as to how many more candidates have reported for admission. The condition of qualifying the CET, however, shall not apply on management quota seats.

(6) List on 25.09.2017.

(7) Photocopy of this order be placed on the record of other connected case(s).

(Surya Kant)
Judge

12.09.2017
vishal shonkar

(Sudhir Mittal)
Judge