

**CWP-25716-2026 (O & M)****-1-**

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

CWP-25716-2026 (O&M)

Haryana Self Finance Private Colleges Association and Another
...Petitioners

Vs.

The State Council of Educational Research & Training (SCERT) and Others
...Respondents

Reserved on : 30.09.2026

Pronounced on : 09.10.2026

Uploaded on : 13.10.2026

*Whether only the operative part of the judgment is
pronounced or the full judgment is pronounced : Full Judgment*

Whether there is delay in uploading the judgment : NA

**CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. Rajiv Atma Ram, Senior Advocate with
Mr. Arjun Pratap Atma Ram, Advocate for the petitioner.

Mr. Deepak Balyan, Addl. A.G., Haryana.

Mr. Anil Chawla, Senior Panel Counsel for respondent No.6-UOI.

Mr. B.S.Seemar, Advocate for respondent No. 7.

ROHIT KAPOOR, J.

The petitioners in the instant writ petition are an association of private self-financing unaided colleges in the State of Haryana and its President, respectively. The colleges associated with the petitioner No. 1 - Association are running courses in Diploma in Elementary Education (for short "D.El.Ed") and

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are recognized by the National Council for Teacher Education (for short “NCTE”) and are affiliated with the State Board.

2. The petitioner’s primary grievance in the present petition is pertaining to the refusal of its request for relaxation and extension of the cut-off date for the admission process to the D.El.Ed course for 2026-28, to 30.10.2026 or any other suitable date, by the respondents. Besides seeking a direction to command the respondents to extend the cut off date, the petitioners have further prayed for issuance of appropriate directions for allocation of candidates for D.El.Ed. course to the colleges associated with it, or permitting the recognized teacher training institution to admit the students in the D.El.Ed. course on the basis of qualifying marks obtained by candidates and their eligibility as provided under Appendix 2 of the National Council for Teachers Education (Recognition Norms and Procedure) Regulations, 2014 (for short “the 2014 Regulations”), during the present academic session of 2026-27. In the alternative, the petitioners seek a direction to the respondents to compensate them for the vacant seats at the rate of Rs.51,600/- per student for loss caused to the colleges, on account of the delay caused by the respondents.

Facts

3. The facts involved lie in a narrow compass. The Hon’ble Supreme Court in the case of “**College of Professional Education and Others Vs. State of Uttar Pradesh and Others**”, reported as (2013) 2 SCC 721 had prescribed a schedule for admission to the B.Ed. courses for the academic session 2012-13, which was to be followed in all subsequent academic sessions. The schedule reads as under:-



1.	Publication of Advertisement	01.02.2011
2.	Sale of Application Forms and their submission	10.02.2012 to 10.03.2012
3.	Date of Entrance Examination	20.04.2012 to 25.04.2012
4.	Declaration of Result	25.05.2012 to 30.05.2012
5.	Commencement and completion of counselings	01.06.2012 to 25.06.2012
6.	Last Date of Admissions after counselling	28.06.2012
7.	Commencement of Academic Session	01.07.2012

4. This schedule was affirmed by the Supreme Court in the case of **“Maa Vaishno Devi Mahila Mahavidyalaya Vs. State of U.P. and Other”**, reported as **(2013) 2 SCC 617**, which additionally laid down a schedule in relation to recognition and affiliation.

5. In exercise of the powers under Section 32 of the National Council for Teacher Education Act, 1993 (for short referred to as “the Act of 1993”), the 2014 Regulations were framed, whereby it was *inter alia* prescribed under Appendix 2, that the duration and working days for the two-year professional programme of D.El.Ed. shall be at least 200 working days each year. However, the students shall be permitted to complete the programme within a maximum period of three years from the date of admission to the same. It is further mandated that there shall be at least 200 working days each year exclusive of the period of examination and admission. The minimum attendance of teachers/students shall be 80 % including practicum and 90 % for school internship.

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6. Respondent No. 1 - the State Council of Education Research & Training Haryana (for short referred to as “SCERT”) issued an admission notice in the newspaper on 30.04.2026 (Annexure P-7). As per the advertisement, the tentative admission schedule was fixed as under: -

Sr. No.	Programme	From	To
Online Registration, Payment of Fees, Filling of Application Form			
1.	Online Registration, Payment of Fees & Application Form filling	04.05.2026	11.05.2026
2.	Fill the remaining Online Application Form	12.05.2026	
First Round - Allocation & Admission			
3.	Publishing College wise list of admitted candidates on website.	13.05.2026 at 3.00 PM.	
4.	Downloading Provisional Admit letters by candidates in Candidates login	13.05.2026 at 3.00 PM	14.05.2026
5.	Admitted students, Report to concerned college and finalize the Admission. Colleges will update the admissions online from their login.	15.05.2026	16.05.2026
Second Round – Allocation & Admission			
6.	Change of option by the candidates, if desired so	18.05.2026	19.05.2026 at 3.00 PM
7.	Publishing college wise list of admitted candidates on website	19.05.2026 after 3:00 PM	
8.	Downloading Provisional Admit letters by candidates in Candidates login	19.05.2026 at 3:00 PM	20.05.2026
9.	Admitted students, Report to concerned college and finalize the Admission. Colleges will update the admissions online from their	21.05.2026	22.05.2026



	login		
Third Round – Allocation and Admission			
10.	Change of option by the candidates, if desired so	25.05.2026	25.05.2026
11.	Publishing college wise list of admitted candidates on website.	26.05.2026 at 3:00 PM	
12.	Downloading Provisional Admit letters by candidates in Candidates Login	26.05.2026 at 3:00 PM	27.05.2026
13.	Admitted students, Report to concerned college and finalize the Admission. Colleges will update the admissions online from their login.	27.05.2026	28.05.2026

7. It transpires that the result of the 10 +2 examination, which is the basic eligibility for admission to the D.El.Ed. course was declared by the Haryana School Education Board on 12.05.2026 and by the CBSE & Punjab School Education Board on 13.05.2026. Since the last day for applying to the course in question was 11.05.2026, the respondent-SCERT issued a clarification dated 12.05.2026, extending the last date for admission to 20.05.2026. As per the prospectus, there were three rounds of counselling, which were required to be culminated by 25.05.2026. However, by notification dated 11.06.2026, the respondent-SCERT added two more rounds of counselling, taking the total number to five. It is alleged by the petitioners that as a result of late declaration of result by the respective education boards, a large number of students were precluded from applying from admission to the D.El.Ed. course and resultantly only 9081 candidates applied against a total of 18,850 available seats and only 8724 candidates were actually admitted. It is the case of the petitioners that 5964

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candidates were allocated to the private self-finance institutions, out of which 3550 seats were allocated to the member-institutes of the petitioner-association and only 927 seats out of the same have been filled and 2523 seats are lying vacant. In view of the fact that such a large number of seats could not be filled up, the petitioners submitted representations dated 29.05.2026 and 08.06.2026 (Annexure P-17) requesting the authorities that the private colleges be allowed to fill up vacant seats at their own level on the basis of merit in the 10 +2 examination, and the cut-off date be extended for such purpose. Since the request of the petitioner was not accorded any consideration, it filed Miscellaneous Application No. 2280 of 2026 in Writ Petition (Civil) No.276 of 2012, before the Hon'ble Supreme Court of India in **Maa Vaishno Devi Mahila Mahavidyalaya** (supra), with the prayer that the cut-off date for admission process in the D.El.Ed. course in Haryana be extended upto 30.09.2026 and/or the respondents be directed to permit recognized Teachers Training Institutions to admit students in the said course on the basis of qualifying marks obtained by the candidates and as per their eligibility as provided under the 2014 regulations. The miscellaneous application filed by the petitioners was dismissed as withdrawn by the Hon'ble Supreme Court vide order dated 4th August, 2026, while granting liberty to the petitioner-association to pursue its remedy in accordance with law. It was further observed that if it approaches the appropriate forum, the controversy shall be decided expeditiously.

8. It is in this factual backdrop that the petitioners have approached this Court, seeking the relief as mentioned hereinabove.



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Arguments of the petitioners.

9. Mr. Rajiv Atma Ram, learned Senior Advocate appearing on behalf of the petitioners, has at the very outset argued that the admission notice itself was issued by the respondents, in violation of the law laid down in the case of **Maa Vaishno Devi Mahila Mahavidyalaya** (supra), which specifies that the admission notice has to be issued by 01st of February each year. He further contends that the declaration of result of the qualifying examination was declared late by the respective education boards and in the case of CBSE, the same was defective, due to which the students were constrained to apply for correction of the result, which was revised by CBSE on various dates after 21.06.2026. He has invited our attention to the detailed mark sheet dated 12.05.2026 (Annexure P-21) which reflects that the same was in fact issued on 26.06.2026. Submission is that on account of the delay in declaration of the result and issuance of the mark sheets, the eligible candidates could not apply for the course, resulting in an alarming situation where majority of the seats are lying vacant and out of a total of 88 colleges of the petitioner-association, 43 colleges have been able to fill seats in single digits only i.e. the student intake has been between 1 to 9 students only.

10. It is urged that in such circumstances, the colleges will not be able to retain the staff and the course will have to be shut down, which would not be in the larger interest of the students and cause of education in the State of Haryana. It is further contended that sufficient time was provided in the past to fill up the seats, which is not being done in the current academic session, and therefore, the same procedure can be adopted for the current session also. He has invited our attention to the admission schedule followed by the SCERT for the academic

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session 2014-2016 to 2025-2027 to contend that it permitted the admission to be undertaken far beyond the prescribed date fixed in the judgment of the Supreme Court. The schedule as highlighted by the petitioners in a tabular form, is extracted hereunder:-

List of Admission/Counselling/Schedule of D.El.Ed. Course (2 years) by SCERT					
Sr. No.	Counselling Authority in Haryana	Academic Session	Admission end date as per schedule fixed by Supreme Court judgment in Maa Vaishno Devi's case	Counselling end date	Approximately delay in months in admission process
1	SCERT, Haryana	2014-16	28-06-14	09-11-14	4 ½ months
2	SCERT, Haryana	2017-19	28-06-17	17-10-17	3 ½ months
3	SCERT, Haryana	2018-20	28-06-18	19-12-18	5 ½ months
4	SCERT, Haryana	2019-21	28-06-19	16-11-19	4 ½ months
5	SCERT, Haryana	2020-22	28-06-20	08-03-21	8 ½ months
6	SCERT, Haryana	2021-23	28-06-21	21-02-22	8 months
7	SCERT, Haryana	2022-24	28-06-22	07-01-23	6 ½ months
8	SCERT, Haryana	2024-26	28-06-24	22-01-25	7 months
9	SCERT, Haryana	2025-27	28-06-25	06-01-26	7 months
Direct Admissions for the Session 2025-27 by Director, SCERT, Haryana after counselling end date against prospectus					

11. As regards the minimum requirement of 200 working days, it is submitted that perusal of the 2014 regulations would show that the student can pass the said course over a period of 3 years. Reliance has been placed upon the judgment of the Supreme Court in the case of “**College of Professional Education and Others Versus State of U.P. and others**”, reported as (2015) 16 SCC 276, wherein the Hon’ble Supreme Court approved a proposal for completing 200 working days of teaching classes starting from 16th October, 2014 till 19th June, 2015. It is urged that the Supreme Court while taking into consideration the proposal submitted by the respondent-State therein, and keeping

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in view the vacancy of a large number of seats, extended the period of admission for the academic session 2014-15, inasmuch as, that the notice for counselling was to be issued by 05th October, 2014, while the counselling was to be conducted between 7th to 10th October, classes were to commence from 16th October and should stand completed by 30th June, 2015. The final examinations were to be conducted by 30th July, 2015. Although, it was conceded that the Supreme Court had passed the said directions in the peculiar facts and circumstances of the case and it was specifically observed that the order cannot be cited as a precedent in future, however, it is submitted that an identical exigency exists in the peculiarity of the facts involved in the instant case and therefore a similar approach is required to be adopted by this Court.

12. The directions passed by the Supreme Court vide order dated 15.07.2026 in misc. application No.1976 of 2026, in the case of **Parshavanath Charitable Trust Vs. All India Council for Technical Education and others**, decided on 15.07.2026 have also been relied upon, in support of the above contention.

13. Learned Senior Counsel has also invited our attention to a chart appended as Annexure P-22 to the petition, which depicts the number of working days available in the calendar year from November, 2026 till May, 2027 as 163. Submission is that if one-hour extra class is conducted daily in the colleges, for 6 days in a week, the net effect would be equal to providing 27 extra working days and adding the same would take the actual number of working days available to 190, which substantially fulfills the requirement under the 2014 regulations.

Examples of various states, including the State of U.P., Rajasthan and U.T. of



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Chandigarh have been cited to contend that the last day for the counselling process has been extended beyond the prescribed schedule, in order to ensure that the cause of education does not suffer.

14. While making submission regarding the right of the petitioner-association to make admissions on its own, it is submitted that the issue is no longer *res-integra* and the law in this regard stands crystallized in various judgments including “**Islamic Academy of Education vs. State of Karnataka**”, reported as (2003) 6 SCC 697, “**P.A. Inamdar and Ors. Vs. State of Maharashtra and Ors.**”, reported as (2005) 6 SCC 537, and the judgments passed by this Court in “**Association of Education Colleges Vs. State of Haryana**”, reported as 2009 (1) SCT 157, “**Vaish College of Education, Rohtak Vs. State of Haryana**”, reported as 2007 (7) SCT 295. It is argued that the Hon’ble Supreme Court has recognized that vacant seats apart from causing huge financial loss to the educational institutions, is a national waste of resources and damages the interest of the general public, as observed in “**Index Medical College, Hospital and Research Centre Vs. The State of Madhya Pradesh and Ors.**” reported as (2023) 11 SCC 570.

15. It is lastly urged that this Court may consider directing payment of compensation as per the alternate relief claimed by the petitioners.

Arguments of the respondents.

16. *Per contra*, learned Additional Advocate General, Haryana, representing the respondent authorities has vehemently controverted the submissions made on behalf of the petitioners. It is submitted that the admission procedure followed has been in strict compliance with the directions passed by

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this Court in CWP No. 21169 of 2024 decided on 22.04.2026, in the case of “**Association of NCTE Approved Colleges Trust Vs. State of Haryana and Others**”, **2026:PHHC:060883-DB** (Annexure R-1) wherein it was *inter alia* directed that the schedule prescribed by the Hon’ble Supreme Court in the case of **Maa Vaishno Devi Mahila Mahavidyalaya** (supra) shall have to be strictly complied with and it would not be open for the State or anyone else to violate it by issuing directions contrary thereto. Our attention is invited to paragraph 40 of the said judgment wherein it was categorically observed that any departure henceforth, will invite not only an act of admonition from this Court but will also entail action for contempt.

17. While repelling the argument of the petitioners regarding contravention of the schedule by the authorities, it is submitted that the aforesaid directions have been passed by this Court on 22.04.2026 in CWP-21169-2024, and the State has subsequently ensured scrupulous compliance of the same by adhering to the admission schedule which has been prepared in a manner so as to ensure that the same concludes by 28th June, 2026, as directed by this Court. It is pointed out that even otherwise date of issuance of admission notice on 1st February, is relatable to the admission process, where an entrance examination is conducted, followed by declaration of result and counselling. Submission is that the admission to the D.El.Ed. course in the State of Haryana is not based upon any entrance examination.

18. It is submitted that keeping in view the fact that the result of class 12th was awaited, and in order to ensure that eligible candidates were not deprived of an opportunity to participate in the admission process, the last date for

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submission of online applications was extended upto 20th May, 2026 and two more rounds of counselling were conducted, purely in the interest of the students and prospective eligible candidates. It is urged that it was ensured that the subsequent admission process was as per the prescribed schedule and that the academic session be commenced from 1st July, 2026. Learned State counsel has pointed out that the results of 10 + 2 examination were declared on 12th May, 2026 and were available online on the said date itself. Submission is that reference to one isolated mark sheet having been '**issued**' on 26.06.2026 by the petitioner, is an incorrect projection of the factual position, since the physical mark sheet is dated 12.05.2026 and date of issuance would be contingent upon the date on which such mark sheet was applied for.

19. Learned State counsel while referring to 2014 regulations, has referred to the mandatory requirement of 200 working days, which is exclusive of the period of examination and admission. It is submitted that the suggestion put forth by the learned Senior counsel for the petitioners regarding additional classes, would not be feasible keeping in view the overall mandatory requirements under the regulations which require minimum attendance of students as well as teachers as 80 % for all course work, including practicum and 90 % for school internship. It is submitted that the academic activities during the academic calendar starting from 1st July, 2026 to 20th June, 2027 already stand earmarked, besides the fact that the activities such as sports meet, excursion, school internship, community survey and examination schedule have been fixed. Our attention has been invited to a chart depicting the total number of working days left after taking into consideration the mandatory NCTE requirements

including the prescribed internship and other academic activities, which is extracted as under :-

Sr. No.	Month	Total No. of Days	Total No of Sundays	Total No of 2 nd Saturday	Total No of Gazette Holidays	Total No of working days left
Tentative Admission Schedule may take time from 24 Sept, 2026 to 30 Oct, 2026 (including with the period of Advertisement round of counselling as per reservation rules & document verifications)						
1	Oct. 2026	31	4	1	3	0
2	Nov. 2026	30	5	1	2	22
3	Dec. 2026	31	4	1	2	24
4	Jan. 2027	31	5	1	2	23
5	Feb. 2027	28	4	1	2	21
6	March 2027	31	4	1	4	22
7	April 2027	30	4	1	5	20
8	May 2027	31	5	1	1	24
Total						154

20. The alternate plea of the petitioners regarding compensation is also vehemently opposed by submitting that the State cannot be penalized for adhering to the prescribed admission schedule and that the mere fact of slight delay in the declaration of result by certain education boards, cannot give any right to the private colleges to seek compensation. It is submitted that on the contrary the conduct of the colleges is highly questionable, who have repeatedly approached the Court as regards the admission schedule and have adopted inconsistent stands, to suit their financial considerations. Any extension/relaxation by the State authorities, has been followed by a demand for compensation on the ground of alleged delay or other consequences and when the authorities strictly follow the schedule, extension is being sought on the ground of insufficiency of students.



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21. It is submitted that the petitioner-association are engaging in unscrupulous practices, and are only interested in profiteering without adhering to the mandatory standards required for imparting quality education.

Analysis

22. We have heard the learned counsel for the parties and have gone through the materials available on record, with their able assistance.

23. The solitary question falling for our consideration in the present petition is whether the cut off date prescribed as per the admission schedule is required to be extended, keeping in view the fact that a substantial number of seats for admission to the D.El.Ed. course are lying vacant ?

24. At the very outset, we may take note of the order passed by us on 15.09.2026, calling upon the State to clarify its stand whether the prayer made by the petitioners can be considered in the context of the provisions of the NCTE regulations, which reads as under :-

“1. The petitioners in the present writ petition are an association of colleges running D.El.Ed. courses. They have approached this Court with the prayer to command the respondents to permit them to admit students uptill 30.10.2026, on the basis of qualifying marks obtained by the candidates as also keeping in view the eligibility for admission provided in NCTE Regulations, 2014.

2. Learned senior counsel for the petitioners submits that fee for the course has been fixed by the State and half of the colleges are having students in single digit. It is submitted that as per the advertisement issued by the State, 11th May, 2026 was the last date for submission of applications while result of the qualifying examination i.e. 10+2 was declared either around such last date or thereafter. Even the extended date for application was 20.05.2026. The petitioners submit that out of 18500 seats available with the private colleges, only 5900 are filled and remaining around 12500 seats are lying vacant. It is urged that in such circumstances, the colleges will not be able to retain the staff



and the course will have to be shut down, which would not be in larger interest of the students and the cause of education in the State of Haryana.

3. *Learned senior counsel points out that as against 18500 seats available with the private colleges, only 9081 students had applied. 8724 students were found eligible against which 5964 students actually got admission. Rest of the seats are still lying vacant.*

4. *Learned State counsel has invited our attention to a judgment delivered by this Bench on 22.04.2026, in CWP-21169-2024, wherein this Court had taken note of the judgments passed by the Hon'ble Supreme Court in **Maa Vaishno Devi Mahila Mahavidyalaya vs. State of U.P. and others, (2013) 2 SCC 617**, to hold that admissions beyond the prescribed date as per the judgment of the Hon'ble Supreme Court, would be impermissible. As per the schedule fixed by the Hon'ble Supreme Court, the last date for admission was 30th of June, as course had to commence from 1st of July. We also issued a direction that any violation of the schedule fixed would be treated as an act of contempt.*

5. *Learned State counsel submits that the judgment of the Division Bench of this Court has attained finality with dismissal of SLP and as such, the prayer of the petitioners cannot be considered now.*

6. *Though we find substantial force in the objection taken by the State counsel but we also cannot be oblivious of the fact that more than 12500 seats would remain unfilled if the petitioners are not permitted to admit students as has been prayed for in the writ petition.*

7. *We are also conscious of the fact that every college is required to maintain minimum staff including teachers etc. and their salaries would have to be paid from the tuition fee received from the students. A grim situation would, thus, arise in future for the colleges which are the members of the petitioners' association.*

8. *We have also been informed that the Hon'ble Supreme Court in matters of colleges affiliated to AICTE has taken note of same peculiar facts and admissions have been allowed till 30.10.2026. Order passed by the Hon'ble Supreme Court in **Parshavanath Charitable Trust Vs. All India Council for Technical Education and others**, in misc. application No.1976 of 2026, decided on 15.07.2026, has been placed before us.*

9. *The conduct of Diploma in Elementary Education course has to be in accordance with NCTE Regulation, wherein, 200 minimum days of teaching are prescribed. Whether in the context of the provisions applicable in NCTE Regulations, the prayer made by the petitioners can be considered, would be an aspect to be examined by the State at the first instance.*

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10. We, accordingly, call upon the State to clarify its stand on the aforesaid issue by filing an affidavit. ”

25. The respondent - State filed a specific affidavit of the Director SCERT Haryana dated 21.09.2026, specifying the mandatory norms and standards prescribed by the NCTE under the 2014 Regulations and it was *inter alia* pointed out that the academic calendar already stood notified vide circular No. 24 dated 07.09.2026 (Annexure R-1). While referring to the specific requirement of 200 working days as well as the minimum attendance, it was specifically stated that various academic activities during the academic year, including sports meet, excursion, school internship, community survey and the examination schedule already stand earmarked in the academic calendar. Extension of the admission process at this stage will affect the entire course schedule and cause harm to the already admitted students who have completed almost 40 % of the syllabus. Highlighting the importance of the “**school internship programme**”, it is stated that the same is conducted in primary schools, and in the event that the D.El.Ed. course is extended, then the internship programme will also be extended, which is not possible on account of summer vacations in primary schools from May to June every year. Since the internship programme constitutes a *sine qua non* for the award of degree of diploma with minimum 90% attendance as per NCTE guidelines, the completion certificate cannot be awarded in absence thereof. While referring to the chart as extracted hereinabove, it was highlighted that the remaining period does not provide a practical and sufficient window for completion of the prescribed 200 working days by students, who are admitted only in and around October, 2026, especially since the first year examination are already scheduled to commence in June,

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2027, leaving no unrestricted period thereafter for completion of balance teaching days.

26. Having considered the rival contentions, and while keeping in mind the competing claims of the petitioners suffering losses on account of a large number of seats remaining vacant on one hand and adherence to the prescribed academic schedule as laid down by the Supreme Court in the case of **Maa Vaishno Devi Mahila Mahavidyalaya** (supra) as well as the mandatory requirements under the 2014 regulations, we are of the considered view that the latter will have to be given precedence. Our reasons for reaching such a conclusion, is simple. Perusal of the 2014 regulations which have been framed under the National Council for Teacher Education, 1993, indicates that the D.El.Ed. is a two-year professional programme of teacher education, intended to prepare teachers for the elementary stage of education, i.e., classes I to VIII. The aim of elementary education is to fulfil the basic learning needs of all children in an inclusive school environment, bridging social and gender gaps with the active participation of the community. The duration of the programme extends to two academic years, however, students are permitted to complete the programme within a maximum period of three years from the date of admission. The Regulations also prescribe that there shall be a minimum of 200 working days each year, exclusive of the period of examination and admission. The institution is required to function for a minimum of 36 hours per week, during which the physical presence of all teachers and student teachers is necessary to ensure their availability for advice, guidance, dialogue, and consultation as and when required. The minimum attendance of student-teachers shall be 80% for all

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coursework, including practicum, and 90% for school internship. Clause 3 of Appendix 2 specifies 'Intake, Eligibility, Admission Procedure and Fees'. The admission procedure is prescribed in Clause 3.3, which reads as under:-

"3.3 Admission Procedure

Admission shall be made on merit on the basis of marks obtained in the qualifying examination and/or in the entrance examination or any other selection process as per the policy of the State Government/UT Administration"

27. The aforesaid Regulations, therefore, clearly mandate the procedure for admission on the basis of marks obtained in the qualifying examination and/or in the entrance examination or any other selection process, as per the policy of the State Government/U.T. Administration. In furtherance of Clause 3.3 aforesaid, the State of Haryana has been formulating a policy for admission each year in the D.El.Ed. course.

28. Although, the parties are at variance regarding framing of definitive policy by the State Government, inasmuch as, that the petitioners contend that no such policy has been made, while the respondents refer to documents placed on record to submit to the contrary, however, what is forthcoming from the records, is that SCERT sought and was granted formal approval by the Directorate of Elementary Education before publishing the brochure and admission programme, for the academic session in question. The requirement of adherence to the minimum number of working days and percentage of attendance and other mandatory requirements including school internship, community survey etc., is not disputed and rightly so, since any compromise with the same would have a



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direct bearing upon the quality of would be teachers, undergoing the professional programme for imparting elementary education.

29. We may notice at this stage, that in somewhat similar circumstances, a different association of self-financed private institutions, running D.El.Ed. courses in the State of Haryana, had approached this Court in the case of **Association of NCTE approved colleges** (supra), for a direction to the respondent-authorities to register the students admitted by its member colleges in the month of March, 2024, or in the alternative had sought compensation at the rate of Rs.51,600/- per student for the alleged loss, which would be caused on account of delay/failure in registering the students already admitted. Interestingly, the petitioner-association had filed CM-3160-CWP-2026 for being impleaded in the said petition stating therein that they had not admitted any student in the academic session 2023-25, as no interim protection was granted in their petition and had opposed the prayer of the other association, questioning the legality of admitting students after the cut-off date fixed under the orders of the Supreme Court.

30. Some of the observations made by us in the case of **Association of NCTE approved colleges** (supra), which are relevant in the instant case are extracted as under :-

*“31. There is a rationale for fixing a cut-off date for the commencement of the academic session in any educational programme, so that not only are the students made aware of the commencement of the session in advance, but also the entire academic schedule is structured in a manner that ensures the required course content is effectively taught during the academic session. The necessity of issuance of directions by the Supreme Court in **Maa Vaishno Devi Mahila Mahavidyalaya** (supra) clearly recognize this importance that is why a specific*



*direction was issued for the process of admission to be initiated well in advance such that it is concluded by 28th June, 2012. The object was to ensure that the commencement of Academic Session takes place on the 1st of July of the respective Academic Session. There is absolutely no reason or justification for the State or other authorities including the private Colleges not to adhere to such a schedule and to allow the admission process to be undertaken in breach of the mandatory schedule laid down by the Supreme Court in **Maa Vaishno Devi Mahila Mahavidyalaya (supra)**.*

32. *It would be worth noticing that the directions issued by the Supreme Court in Maa Vaishno Devi Mahila Mahavidyalaya (supra) is required to be implemented by all concerned, keeping in view the constitutional mandate contained in Article 141 of the Constitution of India.*

33. *It is in this context that we are required to examine the action of SCERT and the State of Haryana in permitting the admission process to be undertaken much after the cut-off date fixed by the Supreme Court. We are of the considered view that the State of Haryana is required to frame an appropriate policy well in advance so that the admission process is concluded by 28th June of the relevant year, thereby facilitating the commencement of the academic session from 1st July of that year. The manner in which the State policy has been issued, permitting admissions to be undertaken beyond 28th June of the respective year, cannot be approved. In such circumstances, we are compelled to direct the Chief Secretary, Government of Haryana, the Secretary, Department of School Education, Haryana and the Director, SCERT, to ensure that the policy for admission to the D.El.Ed. course is issued sufficiently in advance so that the admission process is conducted in accordance with the directions issued by the Supreme Court.*

34. *For the current academic session 2026–28, we direct the State of Haryana to formulate its policy and notify it prior to 30th April 2026. The same shall be followed in all subsequent years as well. The process of admission, in terms of the statute and in accordance with the policy framed by the State, consistent with the NCTE Regulations, shall be concluded by 28th June so as to ensure that the academic session commences from 1st July. We further clarify that in the case of private minority colleges, their right to manage the institution shall not permit them to admit students beyond the schedule fixed by the Supreme Court in **Maa Vaishno Devi Mahila Mahavidyalaya (supra)**.*

35. *Notwithstanding the conditions, under which minority status is granted to the minority colleges, the minority institutions will also adhere to the policy*



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issued by the State and will not be permitted to violate the Schedule fixed in the case of Maa Vaishno Devi Mahila Mahavidyalaya (supra).

xxxxx xxxxx

38. *Coming to the specific case in hand, we find that the admission granted by the petitioner-Association after the Schedule fixed in **Maa Vaishno Devi Mahila Mahavidyalaya (supra)** cannot have the approval of this Court only because departures were made earlier by the SCERT while publishing its Schedule. In the Academic Session 2023-25, there was no permission granted by the State for the petitioner-Association to admit students and therefore their action in admitting students beyond the cut-off date must be viewed with seriousness.*

39. *In such circumstances, while admonishing the members of the petitioner-Association for admitting students beyond the cut-off date without any permission granted by the State Government, we also impose a cost on each of the petitioner-Colleges, quantified at Rs.2,00,000/- each which would be deposited with 'Poor Patient Welfare Fund PGIMER Chandigarh'.*

40. *We also make it clear that any departure henceforth in admitting students by any of the educational institutions including the State Educational Institutions, will invite not only an act of admonition from this Court but will also entail action for contempt of the orders to be passed.*

41. *Learned Senior Counsel for the petitioner-Association lastly submits that in the previous Academic Session, students admitted by the minority institutions have been permitted to be admitted much beyond the period prescribed and the results have also been directed to be declared.*

42. *Though we have deprecated the practice of admitting students beyond the Schedule fixed by the Supreme Court, yet in the peculiar facts of the case, as the 33 students have been permitted to appear in the examination pursuant to interim orders passed in this matter, we direct the respondents to declare the results. Additional cost, at the rate of Rs.1,00,000/- for each student would be deposited by the concerned colleges over and above the cost fixed for each member of the petitioner-Association in the aforesaid Fund."*

31. Undisputedly, it was made clear by us in no uncertain terms that

'henceforth' no admission shall be made other than as per the prescribed

academic schedule approved by the Hon'ble Supreme Court in **Maa Vaishno**



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Devi Mahila Mahavidyalaya (supra). It was also made clear that any departure henceforth by any of the educational institutions in admitting students would entail action for contempt. The personal liability of the Secretary, Department of School Education and the Director, SCERT was fixed to ensure the process of admission commences in terms of the directions issued in **Maa Vaishno Devi Mahila Mahavidyalaya** (supra). It was further clarified by us that the right of private minority colleges to manage their institutions, shall not permit them to admit students beyond the schedule fixed by the Supreme Court.

32. Perusal of the records would show that the respondent authorities have substantively complied with the directions for the current academic year and extension of a few days for the limited purpose of submitting applications upto 20th May, 2026, was done only with a view to accommodate the students and the institutes, who had complained of delayed declaration of result of 10 + 2. The authorities have ensured that the admission schedule concludes by the prescribed date. The brochure and advertisement containing the admission schedule on the basis of the result of the qualifying examination i.e. 10 + 2 has been published by SCERT after taking due approval from the State authorities.

33. We are not impressed by the argument raised by the learned Senior Counsel for the petitioners that a departure can be made in the admission schedule in the manner suggested or as permitted by the Hon'ble Supreme Court as one of the measure in the case of **College of Professional Education and Others** (supra), wherein it was clearly specified that the order was being passed in the peculiar facts and circumstance of the case and cannot be cited as a precedent in future. In our opinion, the said directions were more in the nature of directions

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passed in exercise of powers under Article 142 of the Constitution of India and to the contrary the specific interlocutory applications filed by the petitioner-association in **Maa Vaishno Devi Mahila Mahavidyalaya** (supra) specifically seeking extension of the date of counselling beyond 30.09.2026 were withdrawn, with liberty to pursue available remedies in accordance with law. The directions passed in Misc. Application No. 1976 of 2026 and other connected applications in **Parshavanath Charitable Trust Vs. All India Council for Technical Education and others** (supra), would also not come to the aid of the petitioners, as the issue regarding fulfillment of the mandatory requirements under the 2014 regulations was not involved therein.

34. Keeping in mind the overall curriculum and structure laid down under the 2014 regulations as discussed hereinabove, we are of the considered view that the plea of the petitioners for extension of the last date for any additional counselling session or for the purpose of admitting students on its own for the unfilled seats, cannot be countenanced, as the same would negate the very purpose of imparting quality education to those, who have to further impart elementary education to students in their formative years. Any relaxation in this regard shall be counter productive and would seriously prejudice the cause of education within the State.

35. We also find the alternate prayer of the petitioners seeking compensation to be bereft of any merit, as we do not find any such circumstances, which would require this Court to adopt such a course while exercising its powers under Article 226 of the Constitution of India.



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36. In view of the reasons recorded above, we do not find any merit in the present writ petition and the same is dismissed accordingly with no order as to costs.

37. Before parting, it is made clear and reiterated that the State Government shall ensure the publication of a policy in terms of the directions issued in **Maa Vaishno Devi Mahila Mahavidyalaya** (supra) well before the commencement of the next calendar year.

38. Pending applications, if any, shall also stand disposed of accordingly.

(ASHWANI KUMAR MISHRA)
CHIEF JUSTICE

(ROHIT KAPOOR)
JUDGE

09.10.2026
kavneet singh

Whether speaking/reasoned :	Yes/No
Whether Reportable :	Yes/No