

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

THURSDAY, THE NINETH DAY OF APRIL
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.9954 of 2015

BETWEEN

Boon Education, Environment and Rural Development Society and another

... PETITIONERS

AND

National Council for Teacher Education,
Rep. by its Secretary and others

...RESPONDENTS

The Court made the following:

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ORDER:

Heard.

2. Petitioners question the order passed by respondent No.1 on 15.10.2013 confirming the order passed by respondent No.2 on 27.06.2012, whereby their request for approval of college for commencing D.El.ED Course was rejected. The said orders were questioned in this writ petition, primarily, in view of the directions of the Hon'ble Supreme Court in Special Leave to Appeal (Civil) Nos.4247-4248 of 2009 vide order dated 10.09.2013, which read as under:-

“Those who are desirous of establishing teacher education colleges/ institutions shall be free to make application in accordance

with the new regulations. Their applications shall be decided by the competent authority keeping in view the relevant statutory provisions. All the pending applications shall also be decided in accordance with the new regulations.

The Government of India, NCTE and the Implementation Committee shall be free to file interlocutory applications as and when any direction is required from the Court in the matter of implementation of the recommendations made by the Verma Commission and the committee constituted vide order dated 14/16.05.2013.”

3. It is not in dispute that the new regulations framed have come into force on 28.11.2014 and in terms of the aforesaid directions of the Hon’ble Supreme Court, the respondents have to reconsider all pending applications as per the new regulations.

4. Since the impugned order is passed considering the petitioners’ request under old regulations, the same is set aside and the matter is remitted to respondent No.1 for fresh consideration and for passing appropriate orders expeditiously. It is made clear that if respondent No.1 deems it appropriate, it is at liberty to remit the matter to respondent No.2.

Writ petition is, accordingly, allowed. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

April 9, 2015
Lmv