

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.36033 OF 2014

ORDER:

Heard.

The petitioner herein has already existing B.Ed., College and it made an application for seeking recognition to impart the D.El.Ed., Course. However, that application was rejected by NCTE vide order dated 29.06.2012, *inter alia*, on the ground that the petitioner cannot apply for additional course unless it completes three academic sessions of the existing course.

Questioning the said order, the petitioner filed an appeal before the NCTE appellate Tribunal. By order dated 11.12.2012 the appeal was also dismissed on the grounds of delay and also that it can apply for additional course in accordance with rules and regulations after completion of three academic session of the existing course. Questioning that the present writ petition is filed.

Learned counsel also made an alternative request that in any case now as more than the requisite period has gone by, the petitioner's request for D.El.Ed., course can at least be considered afresh.

I do not see any reason not to accept the said contention, as learned standing counsel for NCTE also fairly submitted that if petitioner moves fresh application for consideration of the said course, there is no objection for the 2nd respondent to consider the same on its own merits and in accordance with the existing regulations.

The petitioner has also filed W.P.M.P.No.11961 of 2015 for consideration on the basis of letter of the Regional Director addressed to the institutions whose applications are pending and asked their consent to consider as per new regulations. W.P.M.P.no.11961 of 2015 is accordingly ordered.

The writ petition is accordingly disposed of permitting the petitioner to make a fresh application for D.El.Ed., course by approaching the 2nd respondent and

on such application, the 2nd respondent shall consider the same on its own merits and in accordance with law and pass appropriate orders. There shall be no order as to costs.

Pending miscellaneous petitions in this writ petition, if any, shall stand closed.

VILAS V.AFZULPURKAR, J

30.04.2015

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DATE: 30.04.2015

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