

THE HON'BLE SRI JUSTICE A.V. SESA SAI

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WRIT PETITION No.33441 OF 2012

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ORDER:

This writ petition is filed under Article 226 of the Constitution of India for the following relief:

“to issue an appropriate Writ, order or direction more particularly, one in the nature of writ of Mandamus declaring the order in F.No.89-409/2012 Appeal/8th Meeting-2012-A57164, dated 5.9.2012 confirming the order of the 2nd respondent in F.No. SRCAPP1648/D.El.Ed.-AI/AP/2012-13/43650, dated 9.7.2012 whereby refused/rejected the application of the petitioner for grant of additional seats to the petitioner society/college in D.El.Ed., as illegal, arbitrary, violation of Articles 14, 16 and 19(1)(g) of the Constitution of India and consequently set-aside the same, directing the respondents to grant additional seats to the petitioner society/college in D.El.Ed. course, and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. The petitioner made an application dated 01.10.2011 before the 2nd respondent for grant of recognition to D.El.Ed Course under Section 14(1) of the NCTE Act by on-line and by physical application on 07.10.2011. The 2nd respondent herein vide proceedings dated 09.07.2012 rejected the permission. Aggrieved by the said order of rejection, the petitioner herein filed appeal before the 1st respondent and the 1st respondent vide order dt.05.09.2012 rejected the said appeal confirming the order of the 2nd respondent. As against the said orders passed by respondents 1 and 2, the present writ petition is filed.

3 . Heard Sri D.L.Pandu, learned counsel, appearing for the petitioner and Sri K.Ramakanth Reddy, Standing Counsel for NCTE, appearing for the respondents.

4 . Sri K.Ramakanth Reddy, the learned Standing Counsel, appearing for the respondents, on instructions, submits that the application of the petitioner herein was

considered and rejected in accordance with law and the appellate authority also after thoroughly considering the material available on record, rejected the appeal confirming the order of rejection passed by the 2nd respondent herein.

5 . Evidently, the petitioner's application was rejected as long back as on 09.07.2012. It is pertinent to note that new NCTE regulations came into force with effect from 28.11.2014. As such, this Court is of the opinion that the petitioner herein now cannot seek consideration of his application made under the old regulations.

6 . In view of the above reasons, this writ petition is disposed of, permitting the petitioner herein to make appropriate application to the respondents in terms of the new NCTE regulations, 2014. If any such application is made by the petitioner herein, the same shall be considered and appropriate orders be passed by the respondents, in accordance with law.

7. Miscellaneous Petitions, if any, pending shall stand closed. No costs.

A.V.SESHA SAI,J

22.12.2015

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