

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

WRIT PETITION No.23591 OF 2014

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed seeking to declare the action of the 1st respondent in rejecting the statutory appeal filed by the petitioners vide its proceedings dated 11.12.2012 vide File No.89-489/2012 Appeal/10th Meeting-2012/A60605 confirming the order of the 2nd respondent in rejecting the petitioner's application for establishment of a D.El.D vide the impugned order bearing No. F.No.SRCAPP1214/D.El.Ed/AP/2011-12/43206, dated 27.06.2012, as illegal, arbitrary and also violative of Articles 14 of the Constitution of India and consequently for a direction to the respondents to grant recognition to the 2nd petitioner for conducting D.El.Ed Course.

2. The 1st petitioner made an application dated 29.09.2011 before the 2nd respondent for grant of recognition to D.El.Ed Course under Section 14(1) of the NCTE Act by one line and by physical application on 03.10.2011. The 2nd respondent herein vide proceedings dated 27.06.2012 rejected the permission. Aggrieved by the said order of rejection, the petitioners herein filed appeal before the 1st respondent and the 1st respondent vide order dt.11.12.2012 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 P.Shreyas Reddy, Counsel for the petitioners and Sri K.Ramakanth Reddy, Standing Counsel for the respondents.

4. Sri K.Ramakanth Reddy, the learned Standing Counsel for respondents, on instructions, submits that the application of the petitioners herein was considered and rejected in accordance with law

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

5. Evidently, the petitioners' application was rejected as long back as on 27.06.2012. It is pertinent to note that new NCTA regulations came into force with effect from 28.11.2014. As such, this Court is of the opinion that the petitioners herein now cannot seek consideration of their application made under the old regulations.

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

7. The miscellaneous petitions filed in this writ petition shall stand closed in the light of this final order. No order as to costs.

A.V.SESHA SAI, J

23rd June, 2015.

Note: Issue CC in two (02) days.

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