

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.905 of 2015

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ORDER:

Heard.

The petitioners question the order passed by the 1st respondent on 06-02-2014 confirming the order passed by the 2nd respondent on 03-07-2013, whereby their request for approval of College for commencing D.P.Ed course was rejected. The said orders are 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. The said directions 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.”

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 consider all pending applications as per the new regulations.

Since the impugned order is passed considering the petitioners' request under old regulations, the same is set aside and the matter is

remitted to the 1st respondent for fresh consideration and for passing appropriate orders expeditiously. It is made clear that if the 1st respondent deems it appropriate it is at liberty to remit the matter to the 2nd respondent if it considers necessary.

Accordingly, the writ petition is allowed. No order as to costs.

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

VILAS V.AFZULPURKAR, J

Date: 23-01-2015

Prv

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