

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(SPECIAL ORIGINAL JURISDICTION)

MONDAY, THE NINTH DAY OF MARCH
TWO THOUSAND AND FIFTEEN
PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.5668 of 2015

BETWEEN

Nova College of Elementary Education.

... PETITIONER

AND

The State of AP, Rep. by its Principal Secretary, School Education
Department, Secretariat, Hyderabad and two others.

...RESPONDENTS

Counsel for the Petitioner: MR. CH. SRINIVAS

**Counsel for the Respondents: GP FOR SCHOOL EDUCATION
MR. K. RAMAKANTH REDDY**

The Court made the following:

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ORDER:

Heard learned counsel for the petitioner and Mr. K. Ramakanth Reddy, learned standing counsel for the second respondent.

2. Petitioner institution was informed by the National Council for Teacher Education (NCTE) by proceedings dated 26.02.2015 to comply with the conditions stipulated in para 3 of the proceedings for the purpose of issuing formal recognition. The proceedings also state that if the petitioner submits a reply and compliance before 02.03.2015 its case will be considered for formal recognition before 03.03.2015 for the year 2015-2016. Petitioner states that they have complied with all the conditions and requirements except the requirement under clause 4(b) on account of election code applicable to Krishna district, which is in force till 23.03.2015. It is also stated that the petitioner has also complied with the selections but the selections are not approved by the duly constituted committee of the State Council of Educational Research and Training in view of the election code. Petitioner states that they hope to comply with all the requirements as soon as the operation of election code ceases and then submit compliance before NCTE for consideration.

3. The impugned proceedings dated 26.02.2015 merely call upon the petitioner to comply with all the conditions if possible and reply before 02.03.2015. Hence, if the petitioner is not able to comply with the said clause 4(b) on account of external reasons such as election code, the petitioner, obviously, cannot be blamed. The second respondent, NCTE, shall not, therefore, reject the application of the petitioner and keep it pending so as to enable the petitioner to comply with the said clause 4(b) as early as possible and as soon as the election code ceases to operate. As and when the petitioner submits compliance, accordingly, the NCTE shall consider the application of the petitioner in accordance with the rules and regulations and pass appropriate orders.

The writ petition is accordingly disposed of. As a sequel,

the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

March 9, 2015

Note: Furnish C.C. of the order by 11.03.2015.

(**B/o**) DSK