

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.32456 of 2013

ORDER:

The grievance of the petitioner in this case is as to the rejection of its application for recognition by the National Council for Teacher Education (NCTE), New Delhi, under order dated 21.01.2013.

Perusal of the afore-stated order reflects that the application of the petitioner was considered under the NCTE's Regulations, 2009. It is however stated that those Regulations are no longer in force and that the new Regulations framed in the year 2014 would govern the issue.

As the rejection of the petitioner's application under the old Regulations, even if set aside in this writ petition, would have no impact in the light of the new Regulations and as the petitioner would necessarily have to apply afresh under the new Regulations, the writ petition is disposed of permitting the petitioner to make a fresh application for recognition under the new Regulations of the year 2014. Such application, if made, shall be considered on the strength of its own merits under the new Regulations without reference to the past rejection under the impugned order dated 21.01.2013.

Sri S. Syam Sunder Rao, learned counsel for the petitioner, states that the amounts remitted by the petitioner in the context of the earlier application are still lying with the NCTE and that such amounts may be directed to be refunded.

Upon a query from the Court as to this aspect, Sri K. Ramakanth Reddy, learned counsel for the NCTE, stated that the NCTE would only retain the process fee in the event any application is rejected and all other amounts paid by such applicant would be refunded.

In view thereof, the NCTE shall take expeditious steps for refunding the amounts due and payable to the petitioner in the context of the earlier application which was rejected under order dated 21.01.2013.

The writ petition is accordingly disposed of. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

1st February, 2016

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