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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 1028/2016 & C.M.Nos.4495-4496/2016

NAVEEN SHIKSHA SAMITI (REGD) AND ANR

..... Petitioners

Through Mr.Amitesh Kumar with
Mr.Shashank Shekhar Singh,
Advocates.

versus

NATIONAL COUNCIL FOR TEACHER EDUCATION AND ANR

..... Respondents

Through Mr.Anil Soni, CGSC for R- 1
&2/NCTE.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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12.02.2016

Present writ petition has been filed challenging refusal order dated 30th December, 2015 passed by NRC of NCTE, whereby the NRC refused recognition for running D.El.Ed. Course in accordance with Sections 14/15(3)(b) of the NCTE Act, 1993 to the petitioner No.2-Institution with liberty to the petitioner No.2-Institution to file an appeal within sixty days. Petitioners also seek a direction to the respondents to process the petitioners' application without insisting on submission of 'No Objection Certificate' issued by the concerned affiliating body.

Learned counsel for petitioners states that respondent passed the impugned order on three grounds:-

- a. The institution has not submitted the NOC from concerned affiliating body required under Clause 5(3) of NCTE Regulations, 2014.*
- b. A proof/evidence to the effect that it is a composite institution as per provisions of NCTE Regulations, 2014, not submitted.*
- c. Negative recommendations of State Government for D.El.Ed. Course.*

Learned counsel for petitioners states that the first two grounds in the refusal order are contrary to the guidelines issued by NCTE and the third ground is in breach of the judgment dated 24th November, 2014 and order dated 15th January, 2015.

Learned counsel for the respondents, who appears on advance notice, states that the present writ petition is not maintainable as the petitioners have an alternative effective remedy by way of an appeal before NCTE.

Consequently, the present writ petition is disposed of with liberty to the petitioners to file an appeal. If the appeal is filed within a period of three days, the same is directed to be disposed of by NCTE prior to 3rd March, 2016.

With the aforesaid liberty, the present writ petition and the applications are disposed of.

The rights and contentions of all the parties are left open.

MANMOHAN, J

FEBRUARY 12, 2016
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