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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 4667/2016

RAIGANJ EDUCARE

..... Petitioner

Through: Mr. Mayank Manish, Advocate with
Mr. Ravi Kant, Advocate.

versus

NATIONAL COUNCIL FOR
TEACHER EDUCATION & ANR.

..... Respondents

Through: Mr. Anil Soni, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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23.05.2016

Present writ petition has been filed challenging the orders dated 18th April, 2016 passed by respondent No.1-NCTE and the order dated 16th November, 2015 passed by respondent No.2-ERC whereby the petitioner's application for recognition for D.El.Ed. course for academic session 2016-2017 was rejected on the ground that online application was made on 19th June, 2015 and the hard copy was dispatched on 20th August, 2015 i.e. after fifteen days of submission of online application and therefore, the same was in violation of Clause 7(2)(b) of the NCTE Regulations, 2015.

Though learned counsel for petitioner states that the petitioner submitted the hard copy for both B.Ed. and D.El.Ed. courses vide its letter dated 30th June, 2015, yet this Court is of the opinion that even if it is not

correct then also non-filing of a hard copy is at the highest a procedural irregularity on which ground the petitioner's application for recognition could not have been rejected.

This Court has grave doubts about the validity and legality of Clause 7(2)(b) of NCTE Regulations, 2015. However, the same is not quashed as Mr. Anil Soni, learned counsel for respondent has promised to re-examine the same.

Consequently, the impugned orders are set aside and the matter is remanded back to the ERC for further processing of petitioner's application for D.El.Ed. course for academic year 2017-2018.

MANMOHAN, J

MAY 23, 2016

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