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

+ W.P.(C) 857/2017

MAHENDRA COLLEGE OF EDUCATION Petitioner

Through: Mr. Chetan Dutt, Mr. R.K. Dutta and
Mr. R.K. Yadav, Advs.

versus

NATIONAL COUNCIL FOR TEACHER EDUCATION

& ANR.

.... Respondents

Through: Ms. Arunima Dwivedi, Adv.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

% **02.02.2017**

Ms. Arunima Dwivedi, learned counsel appearing for the respondents / NCTE has taken instructions. She has drawn my attention to Section 18 of the NCTE Act, 1993 which reads as under:

“18. APPEALS

(1) Any person aggrieved by an order made under section 14 or section 15 or section 17 of the Act may prefer an appeal to the Council within such period as may be prescribed.

(2) No appeal shall be admitted if it is preferred after the expiry of the period prescribed therefor: Provided that an appeal may be admitted after the expiry of the period prescribed therefor, if the appellant satisfies the Council that he had sufficient cause for not preferring the appeal within the prescribed period.

(3) Every appeal made under this section shall be made in

such form and shall be accompanied by a copy of the order appealed against and by such fees as may be prescribed.

(4) The procedure for disposing of an appeal shall be such as may be prescribed: Provided that before disallowing an appeal, the appellant shall be given a reasonable opportunity to represent its case.

(5) The Council may confirm or reverse the order appealed against.”

According to her, even though the Limitation prescribed for filing an Appeal is 60 days, there is a power under the Act for the Appellate Authority, on the appellant showing sufficient cause to condone the delay. In view of the aforesaid provision, learned counsel appearing for the petitioner states that he would file an Appeal along with an application seeking condonation of delay.

Noting the submission made by the learned counsel for the petitioner, granting liberty to the petitioner to file an Appeal along with an application seeking condonation of delay, the petition is disposed of.

V. KAMESWAR RAO, J

FEBRUARY 02, 2017/jg