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

+ W.P.(C) 12044/2016

KAMAL KAILASH TEACHERS TRAINING
INSTITUTE

..... Petitioner

Through: Mr. Mayank Manish and Mr. Ravi
Kant, Advs.

versus

NATIONAL COUNCIL FOR TEACHER EDUCATION &
ANR

..... Respondents

Through: Ms. Monika Arora, Standing Counsel
with Mr. Kushal Kumar, Adv.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **28.04.2017**

Petitioner submitted online application on 28th December, 2012 with the Northern Regional Committee, National Council for Teacher Training Education for running B.Ed course. Vide order dated 8th October, 2015 respondent no.2 intimated the petitioner about the rejection of the application on the ground that petitioner had not submitted compliance/documents as required in letter of intent issued under Clause 7 (13) of NCTE Regulations 2014, inasmuch as, did not reply to the show cause notice issued to the petitioner in this regard. Petitioner preferred an appeal before the respondent no.1 which has been dismissed vide order dated 2nd September, 2016.

That is how the petitioner is before this Court by way of present writ petition under Article 226 of the Constitution of India.

Learned counsel for the petitioner has contended that alleged show cause notice was not received by the petitioner. He has placed reliance on the endorsement made by the Deputy Post Master, Faizabad on the letter dated 21st December, 2015 written by the petitioner to the said authority to show that no letter was delivered at the address of the petitioner between 15th June, 2015 and 15th October, 2015 from the Northern Regional Committee Office. It is further submitted that affiliating university had issued the approval letter on 30th September, 2015 and, in fact, the said letter was submitted before the appellate authority, i.e, respondent no.1 on 6th October, 2015. This letter ought to have been considered by the appellate authority.

It is noted that a Bench of coordinate jurisdiction vide judgment dated 3rd January, 2017 passed in W.P. (C) 7981/2016, was pleased to remand the matter back for re-consideration in the similar facts and circumstances. It was held that appellate authority ought to have considered the approval letter submitted in the appeal proceedings. I find that in the said case also endorsement of the postal authority was produced and was considered to

conclude that no show cause notice was served.

Accordingly, impugned orders are set aside and matter is remanded back to the Northern Regional Committee to re-consider the case of the petitioner well before 2nd May, 2017, which is the cut off date fixed by the Supreme Court. Needless to add that application has to be considered for the academic session 2017-18.

Writ petition is disposed of in the above terms.

Dasti.

A.K. PATHAK, J.

APRIL 28, 2017

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