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

+ W.P.(C) 10009/2017

SRIDUTT SINGH INSTITUTE FOR TEACHER TRAINING AND
ANR.

..... Petitioners

Through Mr. Vasant Singh, Adv.

versus

NCTE AND ANR

..... Respondents

Through Mr. Ashok Kumar Panigrahi and
Mr. Rajvardhan Singh, Advs.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **13.11.2017**

The petitioner is aggrieved by the order dated 18.01.2017 passed by respondent No. 1 endorsing the order passed by respondent No. 2. Respondent No. 2 had rejected the application of the petitioner seeking recognition for the B. Ed. Program. Three objections had been considered by respondent No. 2 while rejecting the application of the petitioner. Learned counsel for the petitioner submits that it was only the third objection which was considered by the appellate body (respondent No. 1) i.e., his failure to submit the No Objection Certificate issued by the concerned affiliating body along with hard copy which was the reason for rejection of his application by respondent No. 2. The other two objections have already been taken care of.

The order of respondent No. 1 has been perused. This order had rejected the application of the petitioner seeking affiliation for the reason that a No Objection Certificate had not been furnished by the petitioner. Accordingly, respondent No. 1 had refused to grant recognition to the petitioner.

The petitioner is aggrieved by this order. His submission is that his case is adequately covered by a judgment of the learned Single Judge of this Court in W.P.(C) No.7847/2016 Dr. C.C. Mahto Teachers Training College Vs. National Council for Teacher Education and Anr decided on 01.03.2017.

On advance notice learned counsel for the respondents has put in appearance.

There is no doubt to the proposition laid down by the learned Single Judge in Dr. C.C. Mahto supra, he had followed the precedent laid down in Rambha College of Education Vs.NCTE and Anr in W.P.(C) No.3231/2016 decided on 23.02.2017. Following the ratio of the aforementioned judgment, the learned Single Judge in W.P. (C) No.7847/2016 had remanded the matter back to the appellate body to consider the case of the petitioner afresh in terms of the fact that the NOC although not filed before the appellate body at the relevant time but filed later in point of time be considered in accordance with law.

It is ordered accordingly. Liberty is granted to the petitioner to make a request to respondent No. 1 for considering his case for the next session which will be for the academic session 2018-2019. An appropriate order in accordance with law shall be passed by

respondent No. 1.

Petition disposed of in the above terms.

INDERMEET KAUR, J

NOVEMBER 13, 2017

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