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

+ **W.P.(C) 2112/2018**

K.D. COLLEGE OF EDUCATION Petitioner
Through: **Mr.Sanjay Sharawat, Adv.**

versus

NATIONAL COUNCIL FOR TEACHER EDUCATION AND ANR.
..... Respondents
Through: **Ms.Monika Arora, Adv.**

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI

ORDER
% **07.03.2018**

Vide the present petition, the petitioner has prayed for quashing of orders dated 10.08.2017 and 24.08.2016 passed by respondent Nos.1 and 2 respectively whereby the petitioner's application has been rejected only on the ground that the NOC from the affiliating University was submitted beyond the stipulated date.

Learned counsel for the petitioner submits that this Court has in a number of decisions including **Rambha College of Education vs. National Council for Teacher Education & Anr.**, dated 23.02.2017 followed by the decision dated 01.03.2017 in W.P.(C) No.7847/2016 titled **Dr. C.C. Mahto Teacher Training College vs. National Council for Teacher Education & Anr.**, held that in such matters where the requisite documents are submitted beyond the cut off date, but before the rejection of the application, the said subsequent

documents ought to be considered before taking a final decision in the matter. He submits that despite the settled legal position the respondents' have rejected the petitioner's application by ignoring the NOC submitted to the respondents' though belatedly.

Mr.Sharawat also places reliance on the decision dated 23.02.2018 passed by this Court in W.P.(C) No.1733/2018.

Issue notice. Ms.Monika Arora, Advocate who appears on advance notice, fairly submits that in view of the settled legal position and the fact that the decision of this Court in the case of **Rambha College of Education** (*supra*) has attained finality, she does not wish to file counter affidavit and does not oppose the prayer made by the petitioner.

Accordingly, following the earlier decisions of this Court and for parity of reasons, the impugned orders dated 10.08.2017 and 24.08.2016 are set aside. The writ petition is allowed, subject to the petitioner's meeting all other eligibility criteria. The respondents are directed to process the application of the petitioner within six weeks.

Needless to say that the present order has been passed without prejudice to the rights and contentions of both the parties.

In case, the petitioners are still aggrieved by any order passed by the respondents, they may take legal recourse as permissible under law.

The petition is disposed of in the above terms.

REKHA PALLI, J

MARCH 07, 2018/gm