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

+ **W.P.(C) 2243/2018**

SMC COLLEGE OF EDUCATION Petitioner
Through **Mr.Sanjay Sherawat, Adv.**

versus

NATIONAL COUNCIL FOR TEACHER EDUCATION
AND ANR. Respondents
Through **Ms.Monika Arora, Adv. for R-1 & 2.**

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI

ORDER
% **12.03.2018**

Vide the present petition, the petitioner/Institute impugns the action of the respondents in returning its application dated 24th December, 2012 for the D.El.Ed course unactioned on 20th March, 2013 on the ground that the State of Haryana had imposed ban for opening of new D.El.Ed colleges in the State of Haryana.

The learned counsel for the petitioner submits that the petitioner/institute did not avail its statutory remedy available under section 13 of the NCTE Act.

Issue notice. Ms.Monika Arora, learned counsel for the respondents who appears on advance notice, fairly does not oppose the petition and submits that in view of the fact that the respondents have themselves taken a decision to process the application submitted

by the Institute before imposition of ban, she does not oppose the present petition. She concedes that the present matter is covered by an earlier decision of this Court.

Accordingly, the writ petition is allowed subject to the petitioner paying costs of Rs.10,000/- to the Delhi High Court Employees Welfare Fund. The impugned order passed by respondents is set aside. Subject to the petitioner meeting other eligibility criteria, the respondent no.2 is directed to decide the application of the petitioner within six weeks by passing a reasoned and speaking order, by ignoring the ban imposed by the State of Haryana.

Needless to say that in case the petitioner is aggrieved by the decision taken by the respondents, he would be at liberty to take legal recourse as per law.

The petition is disposed of in the aforesaid terms.

MARCH 12, 2018/aa

REKHA PALLI, J