

\$~45

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

+ **W.P.(C) 5711/2018**

KOYAL COLLEGE OF EDUCATION

..... Petitioner

Through: Mr.Sanjay Sharawat with Mr.Divyank
Rana, Advs.

versus

NATIONAL COUNCIL FOR TEACHER EDUCATION AND ANR.

..... Respondents

Through: Ms.Arunima Dwivedi with
Mr.Kanishk Sharma, Advs.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

%

25.05.2018

Vide the present petition, the petitioner/Institute has sought a direction of this Court to quash the letter dated 09.09.2013 whereby its application dated 29.12.2012 for grant of recognition of the D.El.Ed. course, was returned unactioned by the respondents. The petitioner has further sought a direction to the respondents to process its application for grant of recognition of the D.El.Ed course without any reference to the ban imposed by the State of Haryana for opening of such institutes.

Learned counsel for the petitioner points out that the said application was returned unactioned only on the ground of the ban imposed by the State of Haryana for opening of new institutes for the

D.El.Ed. course during that period.

Learned counsel for the petitioner submits that it being an admitted position that the respondents in its meeting held on 20.11.2017, had decided to process the applications of those institutes, which were submitted before the imposition of the State ban and were covered by the un-amended NCTE Regulations 2009, there is no reason why the petitioner's application should also not be considered on its own merits. He places reliance on the various subsequent orders passed by this Court, directing the respondents to process the application of those institutions, which had been submitted before the imposition of the State ban.

Issue notice. Ms.Arunima Dwivedi, Advocate, who appears on advance notice for the respondents, fairly submits that she does not wish to file any counter affidavit and is unable to dispute the submissions made by learned counsel for the petitioner.

Learned counsel for the respondents, however, submits that keeping in view the fact that the petitioner's application was returned over 4 years ago, the respondents may be given adequate time to examine and process the same as per law.

The writ petition is allowed subject to payment of Rs.50,000/- costs payable to counsel for the respondents.

Subject to the petitioner meeting all other prescribed eligibility criteria, the respondents are directed to reconsider the petitioner's application dated 29.12.2012 and dispose of the same by passing a reasoned and speaking order within twelve weeks from today.

It is made clear that the petitioner's application would not be

rejected on the ground of there being a ban imposed by the State of Haryana for opening of such educational Institutions.

The petition stands disposed of with the above directions.

REKHA PALLI, J

MAY 25, 2018

gm