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

+ **W.P.(C) 7204/2018**

G R SHIKSHA SAMITI & ANR

..... Petitioners

Through Mr. Amitesh Kumar, Ms. Binisa
Mohan and Ms. Priti Kumari,
Advocates

versus

NATIONAL COUNCIL FOR TEACHER EDUCATION & ANR

..... Respondents

Through Ms. Arunima Dwivedi, Standing
Counsel with Ms. Preeti Kumra,
Advocate for R-1/NCTE

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

% **13.07.2018**

C.M. No.27425/2018

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 7204/2018

The present petition instituted on behalf of the petitioner under
Article 226 of the Constitution of India, prays as follows:

“a) Issue an appropriate writ(s)/direction(s) or
order(s) including the Writ of Certiorari quashing and
setting aside the impugned letter dated 27.08.2013 of the
Regional Director, Northern Regional Committee,
whereby the Northern Regional Committee returned the
original application submitted by the Petitioners for
recognition of B.Ed. course; and/or

b) Issue an appropriate writ(s)/direction(s) or order(s) including the writ of Mandamus directing the respondents to process the application of the Petitioner for grant of recognition of B.Ed. course without any reference to the ban imposed by the State of Haryana for conducting B.Ed. course”

Issue notice.

Learned counsel appearing on behalf of the official respondents accepts notice.

It is an admitted position that in the facts and circumstances of the case, the relief prayed for, is covered by an order dated 22.05.2018, in W.P. (C) 5454/2018, titled as '*Roa Deena Ram Vidya Vihar Shiksha Samiti Haluhera and Anr. vs. National Council For Teacher Education And Anr.*', passed by a learned Single Judge of this Court.

A perusal of the averments made on behalf of the petitioner reflects that the application submitted on behalf of the petitioner for grant of recognition of the B.Ed. course was returned without consideration by the official respondents, in view of a ban imposed by the State of Haryana in relation to the opening of such institutes.

This Court vide the said order dated 22.05.2018 in '*Roa Deena Ram Vidya Vihar Shiksha Samiti Haluhera and Anr.*', (*supra*) directed as follows:

“Subject to the petitioner meeting all other prescribed eligibility criteria, the respondents are directed to reconsider the petitioner’s application dated 26.12.2012 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 subsequent ban imposed by the State of Haryana on opening of such educational Institutions."

The above directions were predicated on the admitted position that the official respondents had, prior to the imposition of the State ban, taken a decision to process the applications of institutes who had submitted the same before the imposition of the said State ban.

In view of the foregoing, the writ petition is allowed and the impugned letter dated 27.08.2013 of the Regional Director, Northern Regional Committee is quashed and the same is disposed of with a direction to the official respondents to reconsider the petitioner's application dated 26.12.2012 and dispose of the same by passing a reasoned and speaking order within twelve weeks from today. It is also made clear that the petitioner's application would not be rejected on the ground of subsequent ban imposed by the State of Haryana on opening of such educational Institutions.

The petitioner is, however, directed to deposit Rs.75,000/- with a Delhi High Court Bar Association Advocates Welfare Trust.

SIDDHARTH MRIDUL, J

JULY 13, 2018/as