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

+ **W.P.(C) 7353/2018**

JANTA ADARSH MAHAVIDHYALAYA Petitioner

Through: Ms. Payal Jain, Adv.

versus

NATIONAL COUNCIL FOR TEACHER EDUCATION & ANR

..... Respondents

Through: Ms. Arunima Dwivedi, Adv.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **18.07.2018**

CM No.28148/2018(exemption)

Exemption allowed, subject to just exceptions.

The application stands disposed of.

W.P.(C) 7353/2018

Vide the present petition, the petitioner has impugned the withdrawal order dated 4th January, 2017 passed by the respondent no.2.

At the outset, learned counsel for the petitioner concedes that the petitioner has not availed the statutory appellate remedy under Section 18 of the NCTE Act. She, however, submits that since the respondents themselves had become aware that the complaint based on which the withdrawal order was passed was false, the petitioner had not filed an appeal earlier under the hope that the respondent no.2 will itself recall the withdrawal order. She thus submits that the

petitioner may be granted time to file an appeal and the respondents may be directed to not reject the said appeal as being time-barred.

Ms. Arunima Dwivedi, learned counsel for the respondents who appears on advance notice, assures the Court that in case the appeal is filed by the petitioner within two weeks, the same would be considered expeditiously by passing a reasoned and speaking order. Accordingly, while permitting the petitioner to withdraw the present petition, it is directed that in case an appeal is preferred by the petitioner to respondent No.1 alongwith an application for condonation of delay, within two weeks from today, the same would be considered expeditiously by the respondent No.1 by passing a reasoned and speaking order.

Needless to say, in case the petitioner is aggrieved by the order passed by the Appellate Committee, i.e., respondent no.1, it will be open for the petitioner to take legal recourse as permissible under law.

Dasti under the signatures of the Court Master.

REKHA PALLI, J

JULY 18, 2018

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