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

+ **W.P.(C) 9543/2017**

**MOYNA VIVEKANANDA MISSION TEACHERS TRAINING
COLLEGE** Petitioner

Through Ms.Binisa Mohanty with Mr.Amitesh
Kumar, Advocates.

versus

NATIONAL COUNCIL FOR TEACHER EDUCATION & ANR
..... Respondent

Through Ms.Sonali Malhotra with Mr.Amit
Sanduja, Advocates.

**CORAM:
HON'BLE MS. JUSTICE REKHA PALLI**

ORDER
% **05.02.2018**

C.M.No.4475/2018(for exemption)

Allowed, subject to all just exception.

The application stands disposed of.

C.M.No.4474/2018(for direction)

This is an application filed by the respondents for expunging the sentence “Learned counsel appearing for the respondent/NCTE on advance notice is unable to either deny or admit the contentions made by the learned counsel for the petitioner” in the order dated

12.01.2018 passed by this Court. The learned counsel for the respondents submitted that the respondents were duly prepared with the matter and had already filed counter affidavit in the petition. She , therefore, submits that the observation in the order dated 12.01.2018 that the ‘respondents are unable to deny or admit the contentions made by the learned counsel for the petitioner’ is being misinterpreted, so as to mean that the respondents were not prepared on the merits of the case.

A perusal of the order clearly shows that the observation is not meant to convey that the respondents were not prepared with the case on merits. However, on 12.01.2018 when the aforesaid order was passed, the learned counsel for the petitioner had instead of addressing arguments on merits only sought a prayer for directing the respondents to decide its representation and had contended that neither any final decision had been taken by the respondents on its representation nor communicated any reasons for not deciding his representations. It was in these circumstances that the order records that, the learned counsel for the respondents was unable to deny or admit the said contention made by the learned counsel for the petitioner during the course of hearing.

At this stage, learned counsel for the respondents does not wish to press the present application.

The application stands dismissed as withdrawn.

REKHA PALLI, J

FEBRUARY 05, 2018

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