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

+ **W.P.(C) 10308/2017**

J.B.M COLLEGE OF EDUCATION

..... Petitioner

Through Mr.Ravi Kant, Adv. with Mr.Mayank
Manish, Adv.

versus

**NATIONAL COUNCIL FOR TEACHER EDUCATION
& ANR**

..... Respondent

Through Mr.Arjun Harkauli, Adv. with
Mr.Vardaan Wanchoo, Adv. for R-1
& 2.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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26.02.2018

The petitioner has preferred the present petition being aggrieved by the orders dated 18th April, 2017 & 28th September, 2016, passed by respondent nos.1 & 2 respectively, whereby the petitioner's application dated 30th May, 2015 for grant of recognition for B.A.B.Ed./B.Sc.B.Ed. course for the academic sessions 2016-2017 & 2017-2018, has been rejected even without considering the 'No Objection Certificate' submitted by the Affiliating Body.

Learned counsel for the petitioner submits that the petitioner's application has been rejected only on the ground that the Haryana Government has in April, 2016, conveyed their decision not to recommend opening of any fresh colleges for B.A.B.Ed./B.Sc.B.Ed. during the academic years 2016-2017 & 2017-2018. He submits that

in view of various decisions of this Court, it is apparent that the rejection of the petitioner's application only on the basis of the said ban imposed by the State Government much after the petitioner's application had been submitted, is liable to be set aside.

Learned counsel for the respondent nos.1 & 2 is unable to dispute the aforesaid position that the petitioner's application seeking recognition was submitted prior to the imposition of ban by the State Government in April, 2016 and concedes that the respondents have taken a decision to process similar applications in case of other Institutes.

In view of the undisputed position that the application seeking recognition was made by the petitioner/Institute before the imposition of ban, I see no reason to deny similar relief to the petitioner. The impugned orders dated 18th April, 2017 & 28th September, 2016, are quashed and the respondents are directed to consider the petitioner's application for B.A.B.Ed./B.Sc.B.Ed. subject to the same meeting other eligibility criteria, by ignoring the subsequent ban imposed by the State of Haryana.

In view of the admitted position that 3rd March, 2018 is the last date for grant of recognition for the academic session 2018-2019, it is expected that the respondents will take a considered decision in respect of the petitioner's application before the said cut-off date of 3rd March, 2018.

The writ petition is disposed of in the above terms.

Copy of this order be given dasti under the signatures of the
Court Master.

REKHA PALLI, J

FEBRUARY 26, 2018/aa