

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 2312 of 2019

Chhattisgarh Commerce And Science College, Sector - 6, Bhilai Nagar, Durg, Tahsil And District Durg Chhattisgarh. Through President Of Ghalib Memorial Education Society, Mohd. Tahir Khan, S/o. Shri Ismile Khan, Aged About 70 Years, R/o. Sector - 6, Bhilai Nagar, Durg, Tahsil And District Durg Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh.
2. Director, State Education Research And Training Council, Shankar Nagar, Raipur, District Raipur Chhattisgarh.
3. National Council For Teacher Education, Through Its Regional Director, National Council For Teacher Education G-7, Sector -10, Dwarka, New Delhi.
4. The National Council For Teacher Education, Through The Member Secretary, National Council For Teacher Education, Hans Bhawan, Wing - II, Bahadur Shah Jafar Marg, Near - R.T.O. New Delhi – 110002.
5. Hemchand Yadav University, Through Its Registrar Durg, District Durg Chhattisgarh.

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For Petitioner	:	Mr. Sunil Otvani, Advocate
For State	:	Mr. Rahul Jha, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

10.07.2019

1. The instant writ petition is filed for the following reliefs :
 - (i) *It is, kindly prayed that this Hon'ble Court may kindly be pleased to call for the entire records concerning petitioner's case from the possession of the respondents for its kind perusal.*
 - (ii) *It is respectfully prayed that this Hon'ble Court may kindly be pleased to issue a suitable writ/direction for setting aside the order impugned dated 12.04.2019 (Annexure P-1).*

(iii) It is respectfully prayed that the suitable writ/direction may kindly be issued directing the respondent No.4 to decide and pass the final order in an appeal preferred by the petitioner within a period of 7 days.

(iv) Any other further orders as deemed fit and necessary by this Hon'ble Court in the facts and the circumstances of the case with the cost of the petition may also please be granted to the petitioner.

2. It is contended by the petitioner that initially a recognition which was given to the petitioner society was withdrawn by an order dated 12.04.2019. Against such withdrawal, the petitioner has preferred an appeal before the National Council For Teacher Education, New Delhi, the appellate authority (Respondent No.4). During the argument, an order has been placed that the appellate authority has passed the order reverting back the case to the respondent No.3 i.e. National Council For Teacher Education, Regional Director, with a direction to revisit the matter afresh considering the relevant documents within a period of 15 days of the issue of appeal order.
3. Learned counsel for the petitioner, on instructions, submits that the order is passed on 05.07.2019. It is further submitted that in the meanwhile few of the other Education Society whose affiliation was also withdrawn has approached to the Delhi High Court wherein on the basis of stay, the orders have been passed whereby six colleges have been allowed to conduct the counseling. He further submits, on instructions, that the counseling would start on 17.07.2019.
4. Prima facie, after going through the copy of the appellate order, which shows that the withdrawal of recognition which was subject of challenge before the appellate authority has been remitted back to the respondent No.3 with a direction to revisit the matter afresh and direction has been

given to consider the relevant required documents within a period of 15 days of the issue of appeal order.

5. Since it has been submitted at bar that the counseling is going to start on 17th November and in the line of the order of the appellate authority i.e. respondent No.4, the respondent No.3 is directed to reconsider the case of the petitioner before 17th July, 2019 adhering to the direction given by the appellate forum, the respondent No.4. The petitioner shall be at liberty to place all the documents before the concerned authority by tomorrow.
6. With such observation, the petition stands disposed of.

Certified copy, today.

Sd/-
Goutam Bhaduri
Judge

ashok