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

+ LPA 638/2019

**SRI GOKULAKRISHNA COLLEGE OF
EDUCATION**

..... Appellant

Through Mr. Mayank Manish, Mr. Ravi Kant,
Advocates.

versus

**NATIONAL COUNCIL FOR TEACHER
EDUCATION & ANR**

..... Respondents

Through Ms. Arunima Dwivedi, SC of NCTE
with Mrs. Preeti Kumra Nanda,
Advocates.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE ASHA MENON

ORDER

% **27.09.2019**

CM APPL. 43515/2019 (exemption)

Allowed, subject to all just exceptions.

**LPA 638/2019 & CM APPL. 43516/2019 (by the appellants under
Section 151 of the CPC seeking directions)**

1. A limited grievance has been raised by the appellant/petitioner in the present appeal directed against the order dated 13.09.2019, passed by the learned Single Judge in a writ petition filed by it [W.P.(C) No. 9929/2019] for staying the operation of the withdrawal order dated 07.05.2019 passed by the Southern Regional Committee till its Statutory appeal is disposed of on one way or other, has been disposed of with directions issued to the

respondent No.1/NCTE to consider and dispose of the said Statutory appeal at the earliest, but without issuing any direction staying the operation of the impugned order, withdrawing the recognition granted to the appellant/petitioner for running its B.Ed. Course for the academic session 2019-2020.

2. Learned counsel for the appellant/petitioner states that several orders have been passed in similar writ petitions filed by other institutions like the appellant/petitioner herein where, it was noticed that the petitioners therein had already filed their Statutory appeals against withdrawal of the recognition granted to them for a particular course and the Court had disposed of said petitions with directions to the Appellate Committee to hear and decide the pending appeals but at the same time, directions were issued that till a decision is taken on the Statutory appeals, operation of the order withdrawing the recognition granted to the concerned institutions would remain stayed.

3. Issue notice. Learned counsel for the respondents accepts notice.

4. It is not disputed by counsel for the respondents that similar orders as mentioned above and detailed in the present appeal have been passed in several petitions where Statutory appeals were pending and the recognitions granted to the concerned institutions for running a particular course had been withdrawn by the NCTE. Even in the present case, it is an admitted position that the appellant's Statutory appeal is pending before the Appellate Committee and directions have been issued to the NCTE to dispose of the said appeal at the earliest.

5. Interest of justice demands that till the Appellate Committee takes a

decision on the pending Statutory appeal of the appellant/petitioner, operation of the order dated 07.05.2019, withdrawing the recognition granted to it for running its B.Ed. Course for the academic session 2019-2020, remain stayed. Ordered accordingly.

6. The present appeal is disposed of alongwith the pending application.

HIMA KOHLI, J

ASHA MENON, J

SEPTEMBER 27, 2019/MK/s