

\$~17

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 13389/2019 & CM APPL. 54330/2019
SHREE RAMAKRISHNA B. T. COLLEGE THROUGH ITS PRINCIPAL
..... Petitioner

Through Mr. Romy Chacko, Adv.
versus

NATIONAL COUNCIL FOR TEACHER EDUCATION AND ORS.

..... Respondents
Through Ms. Arunima Dwivedi, Standing Counsel
with Ms. Niharika Rai, Adv. for NCTE.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **10.02.2020**

1. Notice in this writ petition was issued on 18.12.2019 when Ms. Dwivedi represented respondent nos.1 and 2.
2. On that date, three (3) weeks were granted to respondents to file the counter-affidavit in the matter.
3. No counter-affidavit has been filed by the respondents.
4. Mr. Chacko, who appears for the petitioner says that the impugned order dated 25.10.2019 passed by the Appeal Committee of the NCTE is primarily based on the reasoning that the petitioner institute does not have the requisite instructional facilities i.e. faculty to run two units qua B.Ed. course.
5. It is Mr. Chacko's contention that a perusal of the impugned order itself would show that the petitioner institute, in the very least, has the infrastructure and instructional facilities which are adequate for one unit i.e. intake of 50 students qua the aforementioned course.
6. Furthermore, Mr. Chacko draws my attention to the representation made on 7.12.2019 which is marked as annexure P-14

and is appended on page 56 of the paper book.

7. Based on this document, Mr. Chacko contends that the concerned Regional Committee i.e. Eastern Regional Committee (ERC) could consider granting recognition for one unit qua the aforementioned course.

8. I find merit in the submission of Mr. Chacko.

9. Accordingly, ERC is directed to consider the representation of the petitioner dated 7.12.2019, Annexure P-14.

10. In case adequate infrastructural and instructional facilities are found in place for grant of recognition qua one unit, ERC will take a decision in the matter having regard to the extant provisions of the law.

11. The ERC will consider the representation dated 7.12.2019 without being burdened by the impugned order passed by the Appeal Committee.

12. Needless to add, the aforesaid exercise will be completed by the ERC with due expedition, though, not later than two weeks from the date of receipt of the copy of the order.

13. For this purpose, ERC will grant a personal hearing to the authorised representative of the petitioner institute.

14. The writ petition is disposed of in the aforesaid terms.

15. Resultantly, pending application shall stand closed.

RAJIV SHAKDHER, J

FEBRUARY 10, 2020

rb