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

+ **W.P.(C) 1388/2020**

**FAKIRCHAND VIDYAPEETH EDUCATIONAL
INSTITUTE**

..... Petitioner

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

versus

**NATIONAL COUNCIL FOR TEACHERS EDUCATION AND
ANR.**

..... Respondents

Through: Ms. Arunima Dwivedi, Standing
counsel with Ms. Niharika Rai,
Advocate.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **07.02.2020**

1. Issue notice to the respondents.
2. Ms. Arunima Dwivedi accepts notice on behalf of the respondents.
3. In view of the limited direction that the petitioner seeks, Ms. Dwivedi says that she will advance arguments in the matter based on the record, presently, available.
4. The record shows that the petitioner had preferred an application for additional unit concerning the B.ed course *vis-a-vis* academic session 2017-2018.

4.1 The petitioner's application, in the first instance, was rejected by the Northern Regional Committee (in short "NRC") in respect of additional unit even while granting recognition for one basic unit. This order was passed on 05.12.2016.

4.2 In other words, instead of granting recognition for 100 seats, the petitioner was allowed an intake by NRC only against 50 seats.

4.3 The petitioner assailed this decision by way of a writ petition.

4.4 The writ petition was filed in the Allahabad High Court. The writ petition was numbered as W.P. (C) 18327/2017.

4.5 The Allahabad High Court, however, disposed of the writ petition with a direction to the petitioner to avail of the alternate remedy available by way of a statutory appeal.

4.6 Accordingly, the petitioner preferred an appeal under Section 18 of the NCTE Act, 1993.

4.7 The Appeal Committee of the NCTE vide order dated 16.03.2018 allowed the petitioner's appeal and remanded the matter to the NRC for necessary action.

4.8 The NRC in its 285th meeting held between 05.06.2019 and 08.06.2019 considered, *inter alia*, the petitioner's case and took a decision to issue a Show Cause Notice.

4.9 The petitioner based on the decision taken by the NRC at the aforementioned meeting and without waiting for issuance of a formal Show Cause notice filed reply dated 14.12.2018.

5. The petitioner is presently aggrieved by the fact that there has been no further movement in the matter.

6. In these circumstances, the writ petition is disposed of with a direction to the NRC to adjudicate upon the pending Show cause notice and render its decision within 10 days of receipt of a copy of the order.

6.1 Upon adjudication, the NRC will take the relevant steps in accordance with the extant provisions of the law.

7. It is made clear that the NRC will be at liberty to carry out an inspection of the infrastructure and instructional facilities.

8. The aforementioned exercise will be completed by the NRC before the cut off date i.e. 03.03.2020.

RAJIV SHAKDHER, J

FEBRUARY 07, 2020

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