

\$~35, 41, 43, 48, 50

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

+ **W.P.(C) 2043/2020 & CM APPL. 7196/2020**

SHRI KRISHNA GOPAL SHIKSHA SAMITI & ANR. ... Petitioners

versus

NATIONAL COUNCIL FOR TEACHER
EDUCATION AND ANR.

..... Respondents

+ **W.P.(C) 2057/2020 & CM APPL. 7219/2020**

KBS EDUCATION TRUST AND ANR.

..... Petitioners

versus

NATIONAL COUNCIL FOR TEACHER
EDUCATION AND ANR.

..... Respondents

+ **W.P.(C) 2061/2020 & CM APPL. 7232/2020**

PUBLIC ROSE SHIKSHA SAMITI AND ANR.

..... Petitioners

versus

NATIONAL COUNCIL FOR TEACHER
EDUCATION AND ANR.

..... Respondents

+ **W.P.(C) 2066/2020 & CM APPL. 7239/2020**

PUBLIC ROSE SHIKSHA SAMITI AND ANR.

..... Petitioners

versus

NATIONAL COUNCIL FOR TEACHER
EDUCATION AND ANR.

..... Respondents

+ **W.P.(C) 2068/2020 & CM APPL. 7244/2020**

SHRI KRISHNA GOPAL SHIKSHA SAMITI & ANR.. Petitioners

versus

NATIONAL COUNCIL FOR TEACHER
EDUCATION AND ANR.

..... Respondents

Present : Mr. Amitesh Kumar, Adv. for petitioners.

Ms. Arunima Dwivedi, Standing Counsel with Ms. Niharika Rai and

Ms. Ankita, Advs. for NCTE.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **24.02.2020**

CM No.7196/2020 in W.P.(C) 2043/2020

CM No.7219/2020 in W.P.(C) 2057/2020

CM No.7232/2020 in W.P.(C) 2061/2020

CM No.7239/2020 in W.P.(C) 2066/2020

CM No.7244/2020 in W.P.(C) 2068/2020

1. Allowed, subject to just exceptions.

W.P.(C)Nos.2043/2020, 2057/2020, 2061/2020, 2066/2020 & 2068/2020

2. Issue notice to the respondents.

3. Ms. Arunima Dwivedi accepts notice on behalf of the respondents.

4. There is a common grievance raised by the petitioners, which is, that their applications for grant of permission for running the subject courses are not being dealt with by the respondents.

5. According to Mr. Amitesh Kumar, who appears on behalf of the petitioners in the captioned matters, despite a remand order having been issued by the Appeal Committee as far back as on 07.06.2018, except for the show cause notices being issued in the 295th meeting by the Northern Regional Committee (NRC), which was held between 06.02.2019 and 11.02.2019 (*qua* which replies were filed by the petitioners), there has been no movement in the matter.

6. Mr. Amitesh Kumar says that after the 295th meeting of the NRC, the NRC has convened 18 meetings and in none of these meetings, the cases concerning the petitioners have been considered.

7. This aspect of the matter is not disputed by Ms. Dwivedi i.e. that the petitioners' cases were not taken up in the meetings held by the NRC after the 295th meeting.

8. Given these circumstances, to my mind, the captioned matters can be disposed of, at this stage itself, with a direction to the concerned regional committee to adjudicate upon the show cause notices (since replies have already been filed by the petitioners) in consonance with the deadline fixed by the Supreme Court in *Maa Vaishno Devi Mahila Maa Vidyalaya vs. State of Uttar*

Pradesh and Ors., 2013 (2) SCC 617.

9. It is submitted by Mr. Amitesh Kumar that the deadline *qua* academic session 2020-2021 expires on 03.03.2020.

9.1 This aspect is not disputed by Ms. Dwivedi.

10. I may also indicate that since the location of the petitioners is in Rajasthan, pursuant to the notification dated 27.01.2020 issued by the NCTE, the concerned regional committee which would have to deal with the matter would, perhaps, be the Western Regional Committee (WRC).

11. Accordingly, the captioned writ petitions are disposed of with the following directions :

(i) The NRC/WRC will adjudicate upon the show cause notice issued to each of the petitioners.

(ii) The adjudication will be completed and the order will be passed on show cause notice issued to each of the petitioners at the next meeting of the WRC, which, I am told, is slated to commence from 25.02.2020.

(iii) In case the show cause notice of any one or more of the petitioners has already been adjudicated upon, that order will be communicated to the concerned petitioner(s) within three days of the receipt of a copy of the order.

12. *Dasti* under the signatures of the Court Master.

RAJIV SHAKDHER, J

FEBRUARY 24, 2020

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