

\$~38

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

+ **W.P.(C) 2312/2020**

VIVEKANAND TT COLLEGE

..... Petitioner

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

versus

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

..... Respondents

Through: Ms. Arunima Dwivedi, Standing
counsel with Ms. Niharika Rai and
Ms. Ankita, Advocates.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **02.03.2020**

1. Issue notice to the respondents.
2. Ms. Arunima Dwivedi accepts notice on behalf of the respondents.
3. With the consent of counsel for the parties, the writ petition is taken up for hearing and final disposal.
4. The substantial relief claimed in the writ petition is as follows:-

“issue an appropriate writ[s]/direction[s] or order[s] directing the NRC/WRC to decide the application of the petitioner institution for issuance of final recognition before cut off date of 03.03.2020 and as per SOP dated 07.05.2019 issued by the NCTE;”

5. The record shows that the petitioner had applied on 17.06.2016 for B.Ed course qua academic session 2017-18.
6. It is the petitioner's case that its application was rejected by the Northern Regional Committee (in short "NRC") on 18.08.2017.
7. Being aggrieved, the petitioner moved the Rajasthan High Court by way of a writ petition bearing no. 9409/2018.
8. The Rajasthan High Court vide order dated 03.05.2018 directed the petitioner to avail the statutory remedy in the form of an appeal.
9. Accordingly, the petitioner preferred an appeal on 17.05.2018 with the Appeal Committee of the NCTE.
10. The Appeal Committee disposed of the appeal on 31.10.2018 and remitted the matter to the NRC.
11. It is averred by the petitioner that on 02.07.2019, it was informed by the NRC that its facilities would be inspected by an Expert team.
12. The petitioner claims that pursuant to the said intimation an Expert Team inspected its facilities between 08.07.2019 and 28.07.2019.
- 12.1 It may be pertinent to note that NRC, inadvertently, has adverted to the fact that the petitioner had applied for B.A./B.Ed and B.A./B.Sc course whereas the record, as alluded to above, would show that the petitioner infact applied for B.Ed course.
13. The record shows that the NRC in its 311th meeting held between 16.01.2020 and 17.01.2020 issued a show cause notice to the petitioner.

14. The petitioner claims that a reply dated 30.01.2020 was filed with the NRC.

15. The petitioner also claims that thereafter a letter of request dated 11.02.2020 was served on the NRC.

16. The petitioner also avers that on 25.02.2020 it filed its compliance qua the Letter of Intent (in short “LOI”) issued by the NRC.

17. Pertinently, in the interregnum, NCTE issued a Gazette notification dated 27.01.2020 which is indicative of the fact that since the petitioner is located in the State of Rajasthan, jurisdiction qua the petitioner may now, perhaps, lie with the Western Regional Committee (in short “WRC”).

18. At this juncture, the petitioner’s limited plea is that the next steps qua its application concerning B.Ed course be taken before the cut-off date fixed for academic session 2020-21.

19. Concededly, the cut-off date for this academic session is 03.03.2020.

20. Given the fact that this is the only prayer that the petitioner has made, Ms. Dwivedi says that if a direction is issued, the concerned Regional Committee will take a decision as per the provisions of National Council for Teacher Education (Recognition Norms & Procedure) Regulations, 2014 (in short “2014 Regulations”).

21. Accordingly, the writ petition is disposed of with a direction to the concerned regional committee i.e. NRC/WRC to take a decision

on the petitioner's application at the earliest and, if possible before the cut off date fixed for academic session 2020-21.

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

RAJIV SHAKDHER, J

MARCH 02, 2020

c