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

+ W.P.(C) 3354/2020

BALAJI B.ED COLLEGE ... Petitioner
Through: Mr.Pushpraj Singh Parihar, Adv.

Versus

NATIONAL COUNCIL FOR
TEACHER EDUCATION AND ANR ... Respondents
Through: Ms.Arunima Dwivedi, Adv. for R-
1.
Mr.Harish, Adv. for UOI.

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

% **ORDER**
05.06.2020

This hearing is conducted through Video-Conferencing.

CM No. 11861/2020 (exemption)

The application is allowed subject to just exceptions.

W.P.(C) 3354/2020

1. This writ petition is filed seeking the following reliefs:-

“a) issue appropriate Writ(s)/Order(s)/direction(s) quashing the order dated 04.09.2019 issued by the Respondent No.1 (Annexure P-1) passing withdrawal of recognition under section 17(1) of NCTE Act, 1993 for B.ED. Programme;

b) issue appropriate Writ(s)/Order(s)/direction(s) quashing the Notice dated 04.09.2019 restoration of the recognition of the petitioner institution for intake of 100 students.

c) issue appropriate Writ(s)/Order(s)/direction(s) quashing the order of withdrawal in abeyance and to give an opportunity of hearing to the petitioner.”

2. The grievance of the petitioner is that by the impugned order dated 04.09.2019, the recognition of the petitioner under Section 17(1) of the NCTE Act, 1993 for B.ED Programme has been withdrawn.

3. At the outset, learned counsel appearing for respondent No. 1 has pointed out that the said impugned order dated 04.09.2019 is an appealable order under Section 18 of the NCTE Act. It is also further submitted that a time limit of 60 days is provided to file an appeal before the appellate authority which opportunity the petitioner has not availed off so far. It is further submitted that it is for the petitioner to approach the appellate authority with an appropriate application for condonation of delay.

4. Learned counsel for the petitioner, however, states that whatever alleged infirmities are stated in the impugned order dated 04.09.2019 stand rectified by the petitioner and that if an opportunity is given, the petitioner will demonstrate this before the WRC.

5. Let the petitioner approach the appellate authority with an appeal within two weeks from today along with an appropriate application seeking condonation of delay. In case such an appeal is filed, the appellate authority is requested to sympathetically consider the application of the petitioner for condonation of delay. The petitioner is free to raise all appropriate defences and contentions before the appellate authority.

6. Granting leave and liberty as above, the present petition is disposed of.

JAYANT NATH, J.

JUNE 05, 2020/rb