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

+ **W.P.(C) 4446/2020 & CM APPLs. 16017-18/2020**

SHIVAM COLLEGE

..... Petitioner

Through: Mr. Shreeyash U Lalit and Mr. Harsh
Chaudhary, Advocates (M:
9811895363)

versus

NATIONAL COUNCIL FOR TEACHER
EDUCATION & ANR.

..... Respondents

Through: Ms. Arunima Dwivedi, Advocate.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **22.07.2020**

1. This hearing has been done by video conferencing.
2. The present petition has been filed by Shivam College, Katangi, Madhya Pradesh against the National Council for Teacher Education (*hereinafter* 'NCTE'). The challenge in this writ petition is that the Appellate Committee of the NCTE has not heard the appeal filed by the Petitioner.
3. On 29th May, 2017, the NCTE had issued a show cause notice calling upon the Petitioner to submit the original staff profile and the original and notarized CLU, NEC and Building Completion Certificate. However, the Petitioner failed to reply to the said show cause notice. Accordingly, on 19th August, 2019 the Western Regional Committee (*hereinafter*, 'WRC') in its 310th Meeting had withdrawn the recognition of the Petitioner under Section 17(1) of the NCTE Act, 1993 for the B.Ed programme. The withdrawal order was issued on 5th September, 2019.

4. The Petitioner then availed of the appellate remedy and filed an appeal before the Appellate Committee on 20th March, 2020. However, the Appellate Committee did not assemble and take up the matter. The Petitioner is therefore unable to start the process of admission for the current academic year. Hence, the present petition.

5. Mr. Shreeyash Lalit, Id. counsel appearing for the Petitioner submits that there is already a meeting notice issued by the NCTE fixing the Appellate Committee's meeting between 22nd July, 2020 to 29th July, 2020. The meeting notice has been shared with the Court through the 'share screen' facility on Cisco Webex. Let a copy of the same be transmitted to the Court Master. As per the said meeting notice, the Appellate Committee is assembling and hearing a large number of matters relating to colleges and their recognitions.

6. Ms. Dwivedi, Id. counsel appearing for NCTE fairly submits that NCTE is planning to list the Petitioner's case before the Appellate Committee in the upcoming meeting. Considering the urgency in this matter and the fact that the Petitioner would irreparably be affected, it is directed that the Petitioner's appeal may be placed before the Appellate Committee in the said meeting. Accordingly, it is directed that the Petitioner's appeal shall now be heard by the Appellate Committee on 28th July, 2020. The exact time be communicated to the Petitioner by the NCTE/Appeal Committee either directly or through Counsel. A speaking order shall be passed after due consideration of the documents which have been submitted by the Petitioner. The order would be communicated to the Petitioner within a period of 2 weeks after the hearing is concluded.

7. With these observations, the petition along with all pending

applications is disposed of. All rights and remedies of the Petitioner in respect of the order of the Appeal committee, are left open.

PRATHIBA M. SINGH, J.

JULY 22, 2020/dk/T