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

+ W.P. (C) 4712/2020

C.M. APPL.16950/2020 (under Section 151 CPC-directions)

C.M. APPL.16951/2020 (exemption from filing court fees)

C.M. APPL.16952/2020 (exemption from filing notarised affidavit)

NAVJIVAN TT COLLEGE

..... Petitioner

Represented by: Mr.Sanjay Sharawat, Advocate.

versus

NATIONAL COUNCIL FOR

TEACHER EDUCATION & ANR.

..... Respondent

Represented by: Ms.Arunima Dwivedi, Standing
Counsel

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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29.07.2020

The hearing has been conducted through Video Conferencing.

C.M. APPL.16951/2020 (exemption from filing court fees)

C.M. APPL.16952/2020 (exemption from filing notarised affidavit)

1. By these two applications, the petitioner seeks exemption from filing the Court fees and notarised affidavit in support of the writ petition and the applications.
2. Considering the Covid-19 situation, the petitioner is exempted from filing the Court fees and the notarised affidavits at this stage and the same be filed within one week of the resumption of the normal Court functioning.
3. Applications are disposed of.

W.P. (C) 4712/2020

1. By this petition, the petitioner challenges the action of the respondents in not complying with the order passed by this Court which has already been declared to be an order *in rem* on the ground that the application of the petitioner has not been considered in terms of the decision of this Court in a batch of writ petitions titled as Sir Chhotu Ram Jat College of Education Vs. National Council of Teacher Education and Anr., W.P.(C) 8820/2019 and connected writ petitions, decided on 18th October, 2019.

2. In the aforesaid batch of writ petitions, this Court decided the issue as to whether the applications for recognition of the Courses filed by the parties in 2012 i.e. prior to the ban being imposed by various State Governments for establishing the new institutions and commencement of Courses, could have been considered by the National Council of Teacher Education (in short, the 'NCTE'). This Court held that the issue in those writ petitions was covered by the decision of the Supreme Court in Saraswati Deep College of Education Vs. National Council of Teacher Education and Anr. and thus, allowed the writ petitions directing the Regional Committees to re-consider the applications of the petitioners therein without being burdened by the fact that various State Governments have imposed ban on setting up of new institutions or granting recognitions to new Courses. In the said batch of writ petitions decided, this Court also noted that the same was an order *in rem* and the concerned Regional Committees will consider the merit of the applications of even those who are similarly circumstanced and have filed their respective applications before the ban kicked-in as per the extant provisions of law.

3. Since the present writ petition is covered by the above-noted decision of this Court dated 18th October, 2019 passed in the batch of writ petitions,

the present writ petition is allowed directing the respondents to consider the application of the petitioner on merit and grant the relief as to the similarly situated other entities. Consequently, the impugned order dated 5th June, 2013 is set aside with the directions to the respondent No. 2 to re-consider the case of the petitioner as has been considered of the similarly circumstanced parties within a period of 12 weeks.

4. Writ petition is disposed of.

5. Order be uploaded on the website of this Court.

C.M. APPL.16950/2020 (under Section 151 CPC-directions)

In view of the order passed in the writ petition, the present application is dismissed as infructuous.

MUKTA GUPTA, J.

JULY 29, 2020
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