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

+ W.P.(C) 5320/2020 & CM 19200/2020

**GYANVEER INSTITUTE OF MANAGEMENT
AND SCIENCE**

..... Petitioner

Through Mr.Apoorv Chandra Saxena, Adv.

versus

**NATIONAL COUNCIL FOR TEACHER
EDUCATION**

..... Respondent

Through Ms.Arunima Dwivedi, Standing
Counsel.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **25.08.2020**

This hearing is conducted through video conferencing.

1. This writ petition is filed by the petitioner seeking quashing of the withdrawal order dated 09.10.2019 whereby the recognition of the petitioner institution for running an M.Ed. course has been withdrawn.
2. The case of the petitioner is that the petitioner institution was granted recognition for conducting M.Ed. course on 28.07.2008. A revised recognition order was issued on 31.05.2015. On 30.08.2016, a show cause notice was issued. A reply was submitted to the show cause notice. Thereafter, on 09.10.2019, a withdrawal order was passed by the respondent against the petitioner. The petitioner has filed an appeal under section 18 of the NCTE Act, which is pending adjudication.
3. Learned counsel for the respondents has opposed the present writ petition. She has pointed out that the appeal was heard on 01.02.2020 and is likely to be taken up on 04.09.2020.
4. Learned counsel for the petitioner however points out that all the necessary documents including staff profile and building certificate have

been duly submitted before WRC. He further states that by the impugned order withdrawing the recognition dated 09.10.2019 various other aspects have been gone into which were not stated in the show cause notice. He also states that if the petitioner is stopped from carrying out admissions, this will cause grave prejudice to the petitioner. The petitioner institution was recognized in 2008 and has been carrying on the classes for the last nearly 12 years.

5. It is also a matter of fact that the petitioner has stated on affidavit that he has filed the necessary staff profile and building certificate and the matter is pending before the appellate authority. It may also be noted that the recognition has been withdrawn with effect from the next academic session. It would be in the interest of justice that the petitioner is permitted to carry out admissions for the current academic session i.e. 2020-21.

6. In view of the above, the petitioner is permitted to participate in the counselling for the current academic year i.e. 2020-21.

7. The respondents will take all consequential steps forthwith including changing the status of the petitioner on the website and informing the affiliating university/concerned authority.

8. This order is subject to further orders that the appellate authority may pass. The appellate authority may dispose of the appeal expeditiously uninfluenced by any observations made by this court and as per law.

9. Nothing further survives in this petition. The petition is accordingly disposed of. All pending applications, if any, are also disposed of.

JAYANT NATH, J.

AUGUST 25, 2020/v