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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 5557/2020 & CM APPLs. 20059-61/2020
PRAKHAR PRAGYA SHIKSHA PRASAR AVAM SAMAJ
KALYAN SAMITI & ANR. ... Petitioners
Through Mr.Amitesh Kumar, Adv.
versus
NATIONAL COUNCIL FOR TEACHER
EDUCATION & ANR. ... Respondents
Through Ms.Arunima Dwivedi, Standing
Counsel for NCTE.

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH
ORDER
% **24.08.2020**

This hearing is conducted through video conferencing.

1. This writ petition is filed seeking an appropriate direction to NCTE to decide the appeal submitted by the petitioner under Section 18 of the NCTE, Act in a time bound manner and a direction is also sought to stay the operation of the withdrawal order dated 09.10.2019 passed by WRC during pendency of the statutory appeal. Consequential directions are also sought.
2. The case of the petitioner is that it was granted recognition by WRC on 15.09.2006 for conducting the B.P.Ed course. A revised recognition was also issued on 16.05.2015 for running the said course with intake of two basic units (100 seats).
3. On 01.02.2017 a show cause notice was issued to the petitioner. A meeting was held on 25-27/09/2019 where WRC decided to withdraw the recognition of the petitioner under Section 17(1) of the NCTE, Act. It is pointed out that this recognition is withdrawn from the end of the academic session next following the date of the communication of the said order. The

withdrawal order was passed on 09.10.2019. The petitioner has filed a statutory appeal on 08.11.2019.

4. Issue notice. Learned counsel for the respondent submits that the respondents are unable to locate the appeal filed by the petitioner. Learned counsel for the petitioner has pointed out that the appeal was filed by Appeal ID No. APPLWRC201913511 dated 08.11.2019 along with a fees of Rs.25,000/-.

5. It is also a matter of fact that the institution is an old recognised institution working since 2006. Admittedly, the respondent has not been able to dispose of the appeal which is pending since November 2019. Further, admittedly the recognition is withdrawn with effect from the end of the present academic session namely 2020-21.

6. In the interest of justice, the petitioner is permitted to participate in the ongoing counselling to admit students for the present academic year as the recognition still continues. The respondent is directed to take all consequential steps to allow the petitioner to participate in the counselling including appropriate intimation to the Department of Higher Education, State of Madhya Pradesh. Needful be done forthwith.

7. Needless to add, the appellate authority is free to decide the appeal as per law uninfluenced by the observations made by this court.

8. Nothing further survives in this writ petition. The appellate authority will try to dispose of the appeal expeditiously. The petition is disposed of with the above directions. All other pending applications,

if any, be also disposed of accordingly.

AUGUST 24, 2020/st

JAYANT NATH, J.