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

+ W.P.(C) 5587/2020

SWAMINARAYAN B ED COLLEGE Petitioner
Through Mr.Mayank Manish and Mr. Ravi
Kant, Advs.

versus

NATIONAL COUNCIL FOR TEACHER
EDUCATION AND ANR Respondents
Through Mr.Apoorv Chandra Saxena, Adv.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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24.08.2020

This hearing is conducted through Video-Conferencing.

CM No. 20183/2020 (exemption)

The application is allowed subject to all just exceptions.

W.P.(C) 5587/2020 and CM No. 20182/2020

1. This writ petition is filed by the petitioner seeking appropriate directions staying the operation of the withdrawal order dated 04.03.2020 till the disposal of the statutory appeal.
2. The case of the petitioner is that the petitioner applied for recognition for B.Ed course. Recognition was granted on 31.03.2007 to the petitioner. Thereafter, on 02.11.2017, WRC withdrew the recognition of the petitioner under Section 17 of the NCTE Act, 1993. An appeal was filed by the petitioner. On 12.09.2018, the Appellate Authority remanded the matter back to WRC. Reliance is placed on the observations of the Appellate Authority stating that the list containing the name of principal and faculty as approved by the affiliating body has been submitted by the petitioner which

prima facie appears to be in accordance with the norms and standards. However, WRC on 19.11.2018 issued a show cause notice and directed the petitioner institute to file necessary documents. The petitioner thereafter filed another writ petition being W.P.(C) 1008/2020 which was heard on 27.01.2020 and in which, WRC was directed to decide the matter of the petitioner in its next meeting. WRC on 04.03.2020 has upheld the order withdrawing the recognition. An appeal has been filed which is pending adjudication.

3. Learned counsel for the respondent states that the Appellate Authority shall expeditiously deal with the appeal of the petitioner, preferably within a period of four weeks from today.

4. Leaned counsel for the petitioner however states that this court should permit the petitioner to participate in the counselling for the present academic session.

5. In my opinion, this prayer of the petitioner cannot be accepted in view of the fact that the recognition was withdrawn on 02.11.2017 and for the last 2 academic sessions, the petitioner has admittedly not participated in the counselling. The petitioner has to wait till the disposal of the appeal.

6. Nothing further survives in this writ petition. The petition is accordingly disposed of. Pending application also stands disposed of.

7. I am now informed that the Appellate Authority is holding a sitting on 03.09.2020. The Appellate Authority may consider accommodating the petitioner's appeal on the said date.

JAYANT NATH, J

AUGUST 24, 2020/rb