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

+ W.P.(C) 5690/2020 and CM Nos. 20569-20570/2020

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

versus

NATIONAL COUNCIL FOR
TEACHER EDUCATION AND ANR Respondents
Through Ms.Arunia Dwivedi, Standing
Counsel for NCTE.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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27.08.2020

This hearing is conducted through Video-Conferencing.

1. This writ petition is filed by the petitioner seeking a direction to the respondents to direct WRC to issue restoration order and to intimate the recognized status of the petitioner to the Department of Higher Education, State of Madhya Pradesh and to permit the petitioner to participate in the ongoing counselling for the session 2020-21.
2. The case of the petitioner is that on 04.02.2008, the petitioner was granted recognition for running a B.Ed course with an annual intake of 50 students. A Revised Recognition order was issued on 16.06.2015. A show cause notice was issued to the petitioner by WRC on 01.02.2017. Another show cause notice was issued on 27.11.2017. On 09.10.2019, WRC issued a communication to the petitioner withdrawing the recognition of the

petitioner institute. The petitioner filed an appeal on 07.12.2019. The Appellate Authority has allowed the appeal on 19.03.2020 and referred the matter back to WRC.

3. A perusal of the order of the Appellate Authority dated 19.03.2020 shows that the said order notes that the withdrawal order has been passed on the ground that the list of faculty submitted by the petitioner was inadequate and that the petitioner had not submitted NEC, CLU and building plan, etc. The Appellate Authority notes that on 25.02.2020, the petitioner submitted a letter from the affiliating University granting approval to the HOD and required number of faculty members. The appropriate CLU, NEC and building plan was also submitted. In these facts and circumstances, the Appellate Authority remanded the matter back to WRC.

4. In the aforesaid facts, the petitioner has made out a prima facie case as the petitioner, prima facie, appears to have completed all the requisite requirements.

5. Issue notice.

6. Learned counsel for the respondent accepts notice.

7. I may also note that the withdrawal order is with effect from the end of the next academic year i.e. 2020-21. In these facts, the petitioner is permitted to join the counselling for the academic year 2020-21 subject to further orders of WRC.

8. The respondent shall forthwith take all consequential steps to allow the petitioner to participate in the present counselling including change of the status of the petitioner on their website and appropriate intimation to the affiliating University and to the Department of Higher Education, State of Madhya Pradesh.

9. WRC is free to decide the matter uninfluenced by any observations made by this court as per law and as per the directions of the Appellate Authority.

10. Nothing further survives in this petition. The petition is accordingly disposed of. Pending applications also stand disposed of.

JAYANT NATH, J

AUGUST 27, 2020

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