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

+ W.P.(C) 6648/2020 & CM APPL. 23152/2020

RAJIV GANDHI MAHILA
MAHAVIDYALAYA

... Petitioner

Through Mr.Mayank Manish & Mr.Ravi Kant,
Advs.

Versus

NATIONAL COUNCIL OF TEACHER
EDUCATION & ANR.

... Respondents

Through Mr.Shivam Singh and Mr.Jaideep
Khanna, Advs.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

18.09.2020

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This hearing is conducted through video conferencing.

1. Issue notice.
2. Learned counsel for the respondent accepts notice.
3. This writ petition is filed by the petitioner seeking appropriate directions to the respondent to stay the withdrawal order dated 10.07.2020 whereby recognition of the petitioner institution for running of a B.Ed Programme has been withdrawn. Other consequential reliefs are also sought.
4. The case of the petitioner is that the petitioner was granted a formal recognition order on 26.03.2010 for running of a B.Ed course with an annual intake of 100 students. Later on, the petitioner has informed the respondent that from 2015-16, they shall admit only 50 students. On 06.06.2015, NRC issued a revised recognition order for two units i.e. 100 intake. Now by the

impugned order dated 10.07.2020 after issuing show cause notices, the respondent has withdrawn the recognition of the petitioner. In one of the grounds stated for withdrawing recognitions, it is stated that the petitioner has only a faculty of six whereas the requirement is of 1 HOD/Principal and 7(seven) faculty.

5. The petitioner has also filed an appeal before the Appellate Authority on 01.09.2020 which is pending adjudication. The Appellate Authority has no power to pass interim orders.

6. Learned counsel for the petitioner states that the withdrawal order dated 10.07.2020 takes effect from the next academic year and the petitioner should be permitted to continue to participate in the counselling process for this academic year and consequential directions to that effect may be given to the respondent. He also submits that despite the reply to the show cause notice, the respondent are wrongly calculating the strength of the faculty based on '100 intake' whereas the petitioner institution is taking only 50 students for the course in question.

7. In view of the above, keeping in view that the withdrawal order takes effect from the next academic year, the petitioner has made out a prima facie case. The petitioner shall continue to be entitled to participate in the counselling process for this academic year i.e. 2020-21. The respondent shall duly change the status of the petitioner on their website accordingly and shall also inform the concerned affiliating university and the Department of Higher Education, State of Uttar Pradesh forthwith i.e. within two days.

8. The Appellate Authority is free to deal with the appeal of the petitioner uninfluenced by any observations made by this court.

9. Nothing further survives in this petition and the petition is disposed of. Pending application also stands disposed of.

JAYANT NATH, J.

SEPTEMBER 18, 2020/st/rb