

\$~1 to 9, 12 to 22, 24 to 32 & 34 to 42

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

+ W.P.(C) 12307/2019

SHRI VINAYAK MAHAVIDYALAY

+ W.P.(C) 12308/2019

SHRI RAM JANKI SHIKSHAN PRASHIKSHAN MAHILA
MAHAVIDYALAY

+ W.P.(C) 12319/2019

GRAMODAYA MAHAVIDYALAY

+ W.P.(C) 12322/2019

PRABHA DEVI BHAGWATI PRASAD MAHAVIDYALAY

+ W.P.(C) 12339/2019

JEET BAHADUR SINGH MAHAVIDYALAY

+ W.P.(C) 12340/2019

SWAMI VIVEKANAND SHIKSHAN SANSTHAN
MAHAVIDYALAY

+ W.P.(C) 12344/2019

GAYA PRASAD PANDEY

+ W.P.(C) 12345/2019

PRABHA DEVI SNATKOTTAR MAHAVIDYALAY

+ W.P.(C) 13069/2019

MAHARAJA AGRASEN COLLEGE OF EDUCATION AND
MANAGEMENT AND ANR.

+ W.P.(C) 10683/2019

BRAJKISHOR NIRMALA DEVI VAHAVIDYALAYA

+ W.P.(C) 9465/2019

DR. BHIM RAO AMBEDKAR MAHAVIDALAYA

+ W.P.(C) 9467/2019

SHIVAJI VIDYAPEETH MAHAVIDYALAYA

+ W.P.(C) 9470/2019

SHIVAM AGARWAL MEMORIAL DEGREE COLLEGE

+ W.P.(C) 9833/2019

SIRUGUPPA EDUCATION SOCIETY

+ W.P.(C) 8801/2019

MAHARSHI SHIKSHAN EVAM PRASHIKSHAN SANSTHAN

+ W.P.(C) 8803/2019

SHRI THAKUR JI RAMLAKSHMAN JANKI MAHILA

W.P.(C) 12307/2019 & Ors.

- MAHAVIDYALAYA
- + W.P.(C) 8806/2019
- SONE LAL MEMORIAL MAHAVIDYALAYA
- + W.P.(C) 8816/2019
- MAA PRABHAVATI BALIKA MAHAVIDYALAYA
- + W.P.(C) 8819/2019
- NIRMAL MULCHANI EDUCATIONAL SHIKSHA EVAM
- PRASHIKSHAN SANSTHAN MAHILA VIDYALAYA
- + W.P.(C) 8888/2019
- KAMAKHYA MAHILA MAHAVIDYALAYA
- + W.P.(C) 8897/2019
- MATA SITABI SHIKSHAN SANSTHAN
- + W.P.(C) 8954/2019
- SONELAL SUSHILA DEVI MAHAVIDYALAYA
- + W.P.(C) 8961/2019
- K M COLLEGE OF EDUCATION
- + W.P.(C) 9433/2019
- L.R.L SHIKSHAN EVAM SAMAJIK SEWA SAMITI AND ANR.
- + W.P.(C) 10583/2019
- CAPTAIN VISHAL SINGH DEGREE COLLEGE
- + W.P.(C) 10584/2019
- RADHAKRISHAN INSTITUTE OF TECHNOLOGY AND
- MANAGEMENT
- + W.P.(C) 10666/2019
- SREENATH ALAKNANDA MAHAVIDYALAYA
- + W.P.(C) 10679/2019
- JAIPRAKASH MAHAVIDYALAYA
- + W.P.(C) 10680/2019
- SRI DURGA JI GIRLS DEGREE COLLEGE
- + W.P.(C) 10931/2019
- M. H. MEMORIAL DEGREE COLLEGE
- + W.P.(C) 10932/2019
- SHRI PARAMANAND MANORAMA DEVI MAHILA
- MAHAVIDYALAYA
- + W.P.(C) 10933/2019
- SMT. BHANUWATI DEVI EDUCATIONAL SOCIETY

- + W.P.(C) 10934/2019
PT. SHRIKRISHNA UPADYAYAY MAHILA
MAHAVIDYALAYA
- + W.P.(C) 10936/2019
SUNSHINE SHEKSHIK VIKAS SANSTHAN
- + W.P.(C) 10959/2019
ROSHAN SINGH BADAN SINGH GAYATRI
MAHAVIDYALAYA
- + W.P.(C) 11004/2019
GYAN MAHAVIDYALAYA
- + W.P.(C) 11041/2019
SRI KASHINATH MAHVIDYALAYA
- + W.P.(C) 11075/2019
RAM CHANDRA MANISH KUMAR MAHAVIDYALAYA

..... Petitioners

Through Mr. Mayank Manish and Mr. Ravi Kant, Advs for the petitioners except in W.P. (C) No.12307/2019 & W.P.(C) No.9433/2019.
Mr. Amitesh Kumar, Adv. for the petitioners in W.P. (C) No.12307/2019 & W.P.(C) No.9433/2019

versus

NATIONAL COUNCIL FOR TEACHER EDUCATION AND ANR.

..... Respondents

Through Ms. Arunima Dwivedi, SC with Ms. Niharika Rai, Mr. Shivam Singh and Mr. Jaideep Khanna, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **08.01.2020**

1 It is the contention of Mr. Amitesh Kumar that for one reason or the other, the respondents are not complying with the directions issued by this Court on 30.09.2019.

W.P.(C) 12307/2019 & Ors.

Page 3 of 6

2 To be noted, pursuant to the last order i.e. order dated 18.12.2019, an affidavit has been filed on behalf of the respondents. Via this affidavit, the matters have been classified into four categories.

3 I have examined the affidavit and the chart appended thereto. The affidavit does not adhere to the operative directions issued by this Court on 30.09.2019. The operative directions are contained in paragraphs 12 to 12.4 of the order dated 30.09.2019.

4 For the sake of convenience, the said directions are extracted hereafter:

“12. Given these facts and figures and also the fact that there is, perhaps, scope for accepting the fee beyond 31 July 2019 albeit with late payment charges, NCTE will consider the applications filed by the aforementioned petitioners as well.

12.1 The applications will be examined from the point of view of meeting the eligibility criteria.

12.2 The information concerning applications which meet the eligibility criteria will be placed before the Court on the next date of hearing.

12.3 In case the only impediment in processing of application(s) qua the aforementioned programme is delay in the payment fee or refund of fee which was paid to NCTE that aspect will also be brought to fore.

12.4 In the event, NCTE finds difficulty in downloading the documents (even though I am informed by Mr. Kumar, Regional Director, NRC that since the password is available it would be possible to obtain soft copies), it would be at liberty to seek hard copies of the applications and missing documents, if any, from the petitioners.”

5 It was put to Ms. Dwivedi as to why the directions issued on 30.09.2019 had not been complied with. Ms. Dwivedi says that the

sum and substance of what is stated in the affidavit dated 06.01.2020 filed on behalf of the respondents is that except for the two writ petitions i.e. W.P.(C) No.12626/2019 and W.P. (C) No.10930/2019, all other applications filed by the petitioners who are before the Court will be processed in accordance with the extant provisions of law.

6 It is Ms. Dwivedi's contention that, therefore, except for the aforementioned two writ petitions i.e. W.P.(C) No.12626/2019 and W.P. (C) No.10930/2019, this Court can dispose of all the writ petitions with the direction that the applications of other petitioners would be processed, and if, there are any deficiencies, either with regard to documents or payment of fee, the same shall be communicated *via* a written notice, and upon the deficiency being cured, the applications will be accepted subject to verification of the aspects adverted to in the documents.

7 Ms. Dwivedi also says that those applications which are facially in order and are accompanied by requisite payments i.e. there are no deficiencies, they shall also be processed in accordance with the extant provisions of law subject to verification of credentials.

8 To be noted, out of the two writ petitions *qua* which a red flag has been raised by the respondents, only one writ petition is on my board today which is W.P. (C) No.10930/2019. This writ petition is listed as item No. 33 today.

9 Insofar as the other writ petition i.e. W.P. (C) No.12626/2019 is concerned, I am informed that the same is listed before this Court on *W.P.(C) 12307/2019 & Ors.*

25.02.2020.

9.1 Besides these two matters, Ms. Dwivedi says that W.P. (C) No. 9229/2019 & W.P. (C) No.8889/2019 need to be kept back as applications filed by these petitioners have not been examined by the NCTE on account of the fact that these applications were not available in the main database of the NCTE.

10 Accordingly, based on the statement made by Ms. Dwivedi, all writ petitions on my board except the following writ petitions i.e. W.P. (C) No.9229/2019, W.P. (C) No.8889/2019 & W.P. (C) No.10930/2019 are disposed of. In respect of these writ petitions i.e. those which are disposed of, as indicated by Ms. Dwivedi, the applications preferred by the concerned petitioners shall be processed. The deficiency, if any, found *qua* documents or submission of fee, will be notified to the concerned petitioner(s) separately. This exercise will be completed within two weeks from today. The petitioner(s) will cure the deficiency within one week from the date of receipt of the notice.

11 Needless to add, since the cut-off date is 03.03.2020, the respondents will ensure that a final decision is taken on merits, at least, 10 days before the cut-off date.

12 *Dasti* under signatures of the Court Master.

RAJIV SHAKDHER, J

JANUARY 08, 2020

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W.P.(C) 12307/2019 & Ors.

Page 6 of 6