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

+ W.P.(C) 12567/2019 & CM No.51314/2019

MAT COLLEGE OF EDUCATION NARWAR
ROAD VILLAGE

..... Petitioner

Through: Mr. Jasbir Singh Malik, Advocate.

Versus

NATIONAL COUNCIL FOR TEACHER
EDUCATION AND ANR.

..... Respondent

Through: Ms. Arunima Dwivedi with Ms.
Niharika Rai, Advocates.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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19.02.2020

1. The substantive prayers made in the petition are as follows:

“(a) *Issue an appropriate direction/order/writ including a writ of certiorari to set aside the withdrawal order dated 04.09.2019 (Annexure P-8) and grant all consequential benefits;*

(b) *Issue an appropriate direction/order/writ including a writ of mandamus to direct the respondent to continue the recognition of the petitioner – college for B.Ed. Course from the academic session 2020-21 onwards; and...*”

2. Notice in this petition was issued on 29.11.2019 when respondents were represented by Ms. Arunima Dwivedi. Four weeks was granted to file a counter affidavit in the matter. Despite opportunity being granted, no counter affidavit has been filed.

3. The principal grievance of the petitioner is that even though a reply to the show cause notice was available with the Western Regional Committee (WRC) of the National Council for Teacher Education (in short “NCTE”) on the date when the impugned order dated 4.9.2019 was passed, a direction was issued by the WRC to withdraw the recognition qua B.Ed. programme run by the petitioner in exercise of powers conferred upon it under Section 17(1) of the National Council for Teacher Education Act, 1993.

4. The record shows that the show cause notice was issued on 28.9.2016.

5. Mr. Malik, who appears for the petitioner, has drawn my attention to Annexure P-5, which is appended on page 45 of the paper book in support of his plea that pursuant to the aforesaid show cause notice, all the documents were furnished.

6. A perusal of Annexure P-5 would show that it bears a seal of the WRC evidencing thereby that the documents were received on 12.12.2018. As noticed above, the impugned order withdrawing the petitioner’s recognition qua the subject B.Ed. course was passed on 4.9.2019. Clearly, although, the documents were available with the WRC, the same were ignored.

7. Accordingly, the impugned order dated 4.9.2019 passed by the WRC is set aside. The petitioner’s recognition qua the subject B.Ed. course for academic session 2020-21 shall stand restored.

7.1 The matter is remitted to WRC for a fresh decision qua the petitioner’s case in the light of the documents placed on record by the petitioner.

7.2. Before taking a final view in the matter, the WRC will accord personal hearing to the authorized representative of the petitioner.

7.3. WRC will thereafter pass a speaking order; a copy thereof will be furnished to the petitioner.

8. The captioned writ petition is disposed of in the aforementioned terms.

9. Resultantly, the pending application shall stand closed.

RAJIV SHAKDHER, J

FEBRUARY 19, 2020/pmc/2

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