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

+ **W.P.(C) 12635/2019 & CM APPL. 51620/2019**

LATE SHRI LAXMANJI MOTGHARE Petitioner

Through: Mr. Mayank Manish with Mr. Ravi
Kant, Advocates.

versus

**NATIONAL COUNCIL FOR TEACHER EDUCATION AND
ANR.** Respondents

Through: Ms. Arunima Dwivedi, Standing
counsel with Ms. Niharika Rai and
Ms. Ankita, Advocates.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **25.02.2020**

1. Via this writ petition, challenge is laid to the order dated 04.09.2019 passed by the Western Regional Committee (in short "WRC").

2. The petitioner is aggrieved by the fact that WRC has decided to withdraw recognition granted to the petitioner qua B.ED course in exercise of powers under Section 17(1) of the NCTE Act, 1993.

3. Notice in this writ petition was issued on 02.12.2019 when the following was recorded:-

3.1 On that date, Ms. Arunima Dwivedi has appeared on behalf of the respondents.

3.2 Ms. Dwivedi was given four weeks to file a counter-affidavit in the matter.

4. As is obvious from the extract of the proceedings held on 02.12.2019, despite opportunity being granted, no counter-affidavit has been filed.

5. In view of this state of affairs, the assertions made by the petitioner that they were not served with the copy of the show cause notices dated 02.01.2017, 21.08.2018 and 19.01.2019 will have to be accepted as they are supported by an affidavit.

6. In that view of the matter, the impugned order is set aside. The matter is remitted to the WRC for re-examination.

7. The petitioner is given liberty to file a reply to the aforementioned show cause notices.

8. The petitioner will file its reply within three weeks from the date of receipt of the copy of the order.

9. The WRC will thereafter fix a hearing in the matter. Opportunity of oral hearing will be given to the Authorised Representatives of the petitioner. The WRC will thereafter pass a speaking order. A copy of the same will be furnished to the counsel for the petitioner.

10. Pending the aforesaid, the recognition qua the aforementioned course i.e. B.ED course will stand restored.

11. The WRC will also indicate this on its web-portal also.

12. The writ petition is disposed of in the aforesaid terms.

RAJIV SHAKDHER, J

FEBRUARY 25, 2020

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