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\$~33, 36, 37, 39, 40, 41, 45, 46 & 48 (1)

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

+ CONT.CAS(C) 213/2021 & CM APPL. 10198/2021

SHRI SHAKUNTAL SECONDARY TEACHERS TRAINING
COLLEGE & ANR. Petitioners

versus

DR VINEET JOSHI IAS CHAIRPERSON NATIONAL COUNCIL
FOR TEACHER EDUCATION & ANR. Respondents

+ CONT.CAS(C) 401/2020, CM APPL. 18656/2020, CM APPL.
18657/2020 & CM APPL. 30082/2020

SHRI KRISHNA GOPAL SHIKSHA SAMITI & ANR.

.... Petitioners

versus

DR VINEET JOSHI IAS CHAIRPERSON NATIONAL COUNCIL
FOR TEACHER EDUCATION & ORS. Respondents

+ CONT.CAS(C) 406/2020, CM APPL. 18699/2020, CM APPL.
18700/2020 & CM APPL. 30065/2020

SHRI KRISHNA GOPAL SHIKSHA SAMITI & ANR.

.... Petitioners

versus

DR VINEET JOSHI IAS CHAIRPERSON NATIONAL COUNCIL
FOR TEACHER EDUCATION & ORS. Respondents

+ CONT.CAS(C) 508/2020 & CM APPL. 30084/2020

RAJASTHAN DELHI EDUCATION SOCIETY & ANR.

.... Petitioners

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been compared and the digital data is as per
the physical file and no page is missing.

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versus

DR VINEET JOSHI IAS CHAIRPERSON NATIONAL COUNCIL
FOR TEACHER EDUCATION & ANR. Respondents

+ CONT.CAS(C) 515/2020 & CM APPL. 30090/2020
RAJASTHAN DELHI EDUCATION SOCIETY & ANR.
..... Petitioners

versus

DR VINEET JOSHI IAS CHAIRPERSON NATIONAL COUNCIL
FOR TEACHER EDUCATION & ANR. Respondents

+ CONT.CAS(C) 521/2020, CM APPL. 30057/2020, CM APPL.
16613/2021 & CM APPL. 16614/2021
RAJASTHAN DELHI EDUCATION SOCIETY & ANR.
..... Petitioners

versus

DR VINEET JOSHI IAS CHAIRPERSON NATIONAL COUNCIL
FOR TEACHER EDUCATION & ANR. Respondents

+ CONT.CAS(C) 657/2020
BS PUBLIC SCHOOL SAMITI & ANR. Petitioners

versus

SH T PRITAM SINGH REGIONAL DIRECTOR WESTERN
REGIONAL COMMITTEE & ANR. Respondents

+ CONT.CAS(C) 658/2020
B S PUBLIC SCHOOL SAMITI & ANR. Petitioners

versus

SH T PRITAM SINGH REGIONAL DIRECTOR WESTERN

REGIONAL COMMITTEE NATIONAL COUNCIL FOR
TEACHER EDUCATION & ANR.

..... Respondents

+ CONT.CAS(C) 681/2020

MAHARANA PRATAP MANAV VIKAS SAMITI & ANR.

..... Petitioners

versus

SH T PRITAM SINGH REGIONAL DIRECTOR WESTERN
REGIONAL COMMITTEE NATIONAL COUNCIL FOR
TEACHER EDUCATION & ANR.

..... Respondents

Through: Mr. Amitesh Kumar, Ms. Binisa
Mohanty and Ms. Priti Kumari, Advs.
for the petitioners.

Mr. Jai Sahai Endlaw and Mr.
Subhoday Banerjee, Advs. for the
respondents.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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21.09.2021

The hearing has been conducted through video conferencing.

1. The learned counsel for the respondents states that Letter of Intent
has been issued in the following matters:

- (i) CONT.CAS(C) 401/2020
- (ii) CONT.CAS(C) 406/2020
- (iii) CONT.CAS(C) 508/2020
- (iv) CONT.CAS(C) 521/2020
- (v) CONT.CAS(C) 657/2020
- (vi) CONT.CAS(C) 658/2020
- (vii) CONT.CAS(C) 681/2020

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2. He also submits that further consideration will be contingent upon the replies, documents, etc. being furnished.
3. However, the Court would note that the LOIs have been issued much after the time granted to NCTE. The applications were to be considered and disposed-off by March 2020 but that month itself the COVID-19 pandemic disrupted normal life throughout the country. Later, the Supreme Court extended the time for compliance till 31.03.2021. Again, in April 2021, COVID-19 paralysed normal life for, another 8 to 10 weeks.
4. The learned counsel for the respondents submits that the LOIs have been issued in the aforementioned 7 cases. The learned counsel for the petitioners submits that he has not received any instructions in this regard. The learned counsel for the respondents has sent the said LOIs through e-mail with the learned counsel for the petitioners, during the course of the proceedings. He also submits that in CONT.CAS(C) 213/2021, a revised order has been issued, and in CONT.CAS(C) 515/2020, application has been refused. The processing of the first 7 cases would depend upon the response to the LOI. He says that the contempt petitions were filed even at a time when the Supreme Court had extended time for compliance.
5. The petitioners contend that the extension of time was only till 30.03.2021 and it was conditional; the petitioners' cases were not processed and they have lost the academic year of 2021-22. Now, with the response of the NCTE, of whatever worth it be, the petitioners can only expect due recognition for the academic year

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2022-23.

6. The loss caused to them is an issue for which they may pursue their remedies, as may be available in law. The fact remains that there is delay of many months in compliance and the same has happened only pursuant to the filing of the contempt petitions for which the petitioners have expended monies towards legal expenses. It is not in dispute that the respondents have been in breach for many months.
7. Since the petitioner has been constrained to approach this court by way of present contempt petition for which he must have expended monies, token costs of Rs.9,000/- is imposed upon the respondent NCTE, to be deposited in two weeks, with the Deputy Conservator of Forests (South), GNCTD. The monies shall be used for purchase of trees from government owned nursery for plantation of trees in the Central Ridge. The said DCF is aware of where and which type of tree are to be planted, as in the last two years the Forest Department has planted over 43,000 trees in the Central Ridge pursuant to costs/trees deposited with it, under scores of court orders. All such planted trees, are said to be in healthy condition.
8. Depending upon the soil type and topography, the DCF may consider planting the following variety of trees:

(i) Dhau	(ii) Hingot
(iii) Khair	(iv) Kumthha
(v) Dhak	(vi) Phulai
(vii) Kareel	(viii) Salai

(ix) Kala siris/safed siris

(x) Kaniar

(xi) Pilkhan

(xii) Pisangan

(xiii) Amaltas

(xiv) Chudail papdi

(xv) Ronjh

(xvi) Bistendu

9. Each tree shall have a minimum of two-years' nursery-age and trunk height of six feet.

10. A compliance affidavit, along with photographs of the plantation, shall be filed both by the DCF and the respondents in four weeks, failing which the matters shall be listed for directions. Copy of this order be served upon DCF (South), GNCTD.

11. Coordination in this regard may be done with Mr. Gautam Narayan, ASC, GNCTD, who has been assisting the court in plantation of trees, upon costs being levied on parties.

12. The petitions, along with pending applications, are disposed-off in terms of the above.

13. Liberty is granted to the parties to approach the Court in case of difficulty.

14. The order be uploaded on the website forthwith.

SEPTEMBER 21, 2021

AB

NAJMI WAZIRI, J