

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 9553 OF 2018

Janata Shishan Pracharak Samitis

Pandit Rajpati Mishra

Master of Edu. And Research

...Petitioner

vs.

The Regional Director (Western Region)

National Council for Teacher Education

and Ors.

...Respondents

Mr. C. K. Thomas i/by C. K. Thomas and Associates Advocate for the
Petitioner

Mr. V. M. Mali - AGP for the Respondent-State.

Mr. Rajeshirke Satyajeet – Advocate for the Respondent Nos. 1 & 2.

Rui A. Rodrigues – Advocate for the Respondent No. 4.

CORAM :

**S.V. GANGAPURWALA AND
S. M. MODAK, JJ.**

DATE :

21st JUNE, 2022

P. C. :-

1. The learned counsel for the Petitioner submits that the recognition of the Petitioner's college is cancelled by National Council for Teacher Education without show cause notice being served upon the Petitioner.
2. The Petitioner was granted with permission for M.Ed. course with intake capacity of 25 students in the year 2008, subsequently enhanced to 35 students in the year 2011, and thereafter enhanced to 50 students in the year 2015.
3. The learned advocate submits that the impugned Order stands

vitiated as the show cause notice is not served upon the Petitioner. As such the Petitioner was handicapped to bring it to notice of the National Council for Teacher Education (NCT) that the college complies with all regulations and requirements.

4. The learned advocate for the NCT submits that Show Cause notice was issued to the Petitioner by Speed post.

5. The Petitioner has remedy of appeal. The matter would require evaluation by the expert body. The Appellate Authority is provided under the statute to consider the prayers in the present Writ Petition. The show cause notice is now on record. The Petitioner may file an appeal before the Appellate Authority and shall bring to the notice of the Appellate Authority all its documents and compliance which the Petitioner has already made.

6. Needless to state that the Appellate Authority shall consider all the aspects of the matter and take decision in the appeal. If the Appeal is filed within period of 15 days from today, the question of limitation may not be raised as Writ Petition is pending since the year 2018. The Appellate Authority shall endeavor to decide the Appeal expeditiously and if possible within four months from the date of appearance of the Petitioner.

7. The Writ Petition is accordingly disposed of. No cost.

[S. M. MODAK, J.]

[S.V. GANGAPURWALA,J.]