

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 5489/2021

(BIRSA MUNDA ADIVASI BAHUUDDESHIYA SHIKSHAN SANSTHA & ANOTHER **VERSUS** STATE OF
 MAHARASHTRA & OTHERS)

*Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders.*

Court's or Judge's order

Shri P.B. Patil, counsel for the petitioners.
 Ms S.S. Jachak, A.G.P for the R-1 & 2.
 Shri N.S. Khubalkar, counsel for the R-3.
 Shri R.M. Sharma, counsel for the R-4.

CORAM : A. S. CHANDURKAR AND G. A. SANAP, JJ.

DATE : FEBRUARY 15, 2022.

The challenge raised in this writ petition is to the decision taken by the Western Regional Committee of the National Council of Teacher Education by which the recognition granted to the petitioner no.2-College for conducting the B.Ed. course from academic session 2021-22 has been withdrawn.

An objection was raised by the learned counsel for the respondent no.4 that remedy of filing an appeal under Section 18 of the National Council for Teacher Education Act, 1993 (for short, 'the said Act') is available for challenging the order passed under Section 17(1) of the said Act.

After arguing the writ petition for some time, the learned counsel for the petitioners on instructions seeks permission to withdraw the writ petition with liberty to avail the statutory remedy as provided. He however submits that the time spent for prosecuting the present writ petition be taken into consideration while permitting the petitioners to avail that remedy.

In view of aforesaid, the writ petition is permitted to be withdrawn with liberty to the petitioners to avail the remedy provided under Section 18 of the said Act. The time taken in prosecuting the present writ petition shall be taken into consideration in case there is any delay in preferring such appeal. If such appeal is filed, the same shall be decided expeditiously in accordance with the time provided by Rule 11 of the National Council for Teacher Education Rules, 1997. All points raised in the writ petition are kept open.

The writ petition is disposed of in aforesaid terms. No costs.

(G. A. SANAP, J.)

(A. S. CHANDURKAR, J.)

APTE