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

+ LPA 264/2024 & CM APPL. 19748-19749/2024

NATIONAL COUNCIL FOR TEACHER EDUCATION & ANR.

..... Appellant

Through: Ms. Suruchi Agtarwal, Sr. Adv. With
Ms. Mrinalin Sen, Ms. Madhawi
Agarwal and Mr. Gurmeet Singh,
Adv.

versus

SCHOOL OF PHYSICAL EDUCATION AND SPORTS

DEVELOPMENT OPJS UNIVERSITY Respondent

Through: Mr. Sanjay Sharawat and Mr. Ashok
Kumar, Adv.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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10.04.2024

1. Present Letters Patent Appeal has been filed challenging the judgment and order dated 08th February, 2024 as well as 13th March, 2024, passed by a learned Single Judge of this Court in W.P.(C) 962/2024, whereby the writ petition filed by the respondent was allowed and the review petition was dismissed.

2. By the main judgment dated 08th February, 2024, the Appellant/National Council for Teacher Education (NCTE) was directed to issue a formal recognition order for the D.P.Ed. course of the respondent-university with effect from 2016-17 academic session.



3. Today, learned senior counsel for the appellant has handed over a recognition order dated 08th April, 2024 recognising the D.P.Ed. course for two units (100 students) under Clause 7(16) of the NCTE Regulations, 2014 from the academic session 2016-17. She, however, states that as the impugned judgment has been passed in the peculiar facts and circumstances of the present case, the questions of law raised in the present appeal be left open and the impugned judgment be not treated as a precedent.

4. Learned counsel for the respondent-university admits that there has been a mis-statement in the legal notice issued by the university dated 16th November, 2023. He, however, states that the mis-statement was due to an inadvertent mistake on the part of the counsel.

5. Keeping in view the aforesaid, the recognition order dated 08th April, 2024 is taken on record and the present appeal is disposed of leaving the questions of law (raised in the appeal) open. However, Clause 18 of the recognition order dated 08th April, 2024 is waived.

6. For the inadvertent mis-statement in the respondent's legal notice dated 16th November, 2023, the respondent-university is directed to pay cost of Rupees One Lakh (Rs.1,00,000/-) to the appellant within four weeks.

7. Since the impugned judgment has been passed in the peculiar facts and circumstances of the case, it is directed that the same shall not be treated as a precedent. Accordingly, the present appeal stands disposed of.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

APRIL 10, 2024

N.Khanna