



2024 : DHC : 444



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

+ **W.P.(C) 780/2024**

**SMT. SANTRA DEVI B.ED. COLLEGE THROUGH
HARILAL YOGI MANAV SEVA SANSTHAN Petitioner**
Through: Mr. Shivam Singh Chauhan,
Advocate

versus

**NATIONAL COUNCIL FOR TEACHER
EDUCATION & ANR. Respondents**
Through: Mr. Rohit Madan, Advocate

**CORAM:
HON'BLE MR. JUSTICE C.HARI SHANKAR**

ORDER (ORAL)
19.01.2024

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1. The recognition granted to the petitioner-college for 100 seats in the B.Ed Course for two years was withdrawn by the Northern Regional Committee of the National Council for Teacher Education (NCTE) on 28 December 2012. The petitioner preferred an appeal against the said withdrawal only eleven years thereafter on 8 October 2023. The appeal has been rejected as having been filed belatedly after ten years and eight months, without any sufficient cause. It is thereafter that the present appeal has been filed.

2. Section 18(1) and (2)¹ of the National Council for Teachers

¹ 18. Appeals. –

- (1) Any person aggrieved by an order made under Section 14 or Section 15 or Section 17 of the Act may prefer an appeal to the Council within such period as may be prescribed.
(2) No appeal shall be admitted if it is preferred after the expiry of the period prescribed therefor:



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Education Act, 1993 read with Rule 10(1)² of the NCTE Rules, 1997 stipulates a period of 60 days from the date of issuance of the order of withdrawal. The delay is, however, condonable on sufficient cause being shown.

3. The Appellate Committee in the NCTE has dismissed the appeal by the impugned order dated 31 October 2023 observing that no sufficient cause for condoning the delay was made out.

4. Mr. Shivam Chauhan, learned counsel for the petitioner is unable to point out from the record, any ground for condonation of delay as having been urged before the Appellate Committee. However, he orally submits that delay was because the concerned person in the petitioner-institution was suffering from slipped disc.

5. The fact that the official of the petitioner was suffering from slipped disc can hardly be regarded as satisfactory to condone a delay of 10 years and 8 months in preferring the appeal.

6. To my mind, there is no infirmity in the impugned order of the Appellate Committee of the NCTE. It is clear that no sufficient ground for condonation of delay of as long as 10 years and 8 months in preferring the appeal against the order of withdrawal of recognition

Provided that an appeal may be admitted after the expiry of the period prescribed therefor, if the appellant satisfies the Council that he had sufficient cause for not preferring the appeal within the prescribed period.

² 10. **Appeal.** –

(1) Any person aggrieved by a refusal order made under Section 14 or Section 15 or withdrawal order made under Section 17 of the NCTE Act, may prefer an appeal in Form 1 or Form II appended to these Rules, to the Council within Sixty days of issue of such orders, along with a fee of ₹ 25,000/- payable online with the submission of appeal:

Provided that an appeal may be admitted after the expiry of the said period of sixty days, if the appellant satisfies the Council that he had sufficient cause for not preferring the appeal within the period of limitation of sixty days.

Signature Not Verified

Digitally Signed By: AJIT

KUMAR

Signing Date: 22.01.2024 P.(C) 780/2024

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existed.

7. No case for interference made out.
8. The writ petition is dismissed in *limine*.

C.HARI SHANKAR, J

JANUARY 19, 2024

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Click here to check corrigendum, if any