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

+ LPA 100/2022, CM APPL. 7279/2022 (Interim Stay)

NATIONAL COUNCIL FOR TEACHER EDUCATION &
ANR.Appellant

Through: Mr. N.K. Bhatnagar, Adv.

versus

MAHARANA PRATAP COLLEGERespondent

Through: Mr. Amitesh Kumar, Ms. Priti,
Mr. Mrinal, Adv.

CORAM:

HON'BLE MR. JUSTICE YASHWANT VARMA

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

ORDER

19.03.2025

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1. The National Council for Teacher Education [“NCTE”] has instituted this appeal seeking to question the judgment rendered by the learned Single Judge on a writ petition which had been preferred by the respondent who were seeking recognition and permission for conducting the Integrated Teacher Education Program [“ITEP”] course. The application for recognition is stated to have been made pursuant to a Public Notice dated 20 May 2019 and pertained to the Academic Year 2020-21.

2. On 25 January 2021, the NCTE in its 52nd General Body Meeting is stated to have taken a decision for returning all pending applications pertaining to ITEP with a window being kept open for those applicants applying afresh for Academic Year 2022-23.

3. The learned Single Judge after hearing respective sides has ultimately come to record that the NCTE does not appear to have taken a positive decision with respect to whether the ITEP course was



proposed to be continued in academic session 2022-23.

4. It is in the aforesaid backdrop that the learned Single Judge has observed as follows:-

“8. The scope of interference in policy decisions in academic matters is limited. It is not appropriate for the writ court to direct introduction of a course which the regulator feels unready to implement. However, I am of the view that the matter cannot be left undecided for an indefinite period. The NCTE had invited applications pursuant to the order of the Supreme Court in the year 2019. That decision itself should have been taken after due deliberation as to the necessary infrastructure and putting in place the regulatory environment. The petitioners claim to have invested time and money in setting up their institutions and making the applications. Those applications have now been returned, and the applicants have lost the academic sessions 2020-21 and 2021-22 in the process. The NCTE is, therefore, directed to take a decision on the required infrastructure or any other aspect, so that the applications can be considered for the academic session 2022-23, in line with its own counter affidavit.

9. There is also no dispute that the fate of those applications would be dependent upon the petitioners’ complying with the regulations as they exist for the introduction of the ITEP in the concerned year. Mr. Kumar accepts that the regulatory framework requires institutions to ensure compliance with the requirements of a course, as prescribed from time to time. The petitioners will therefore comply with the directions of the NCTE for consideration of their applications for the academic session 2022-23 and will deposit the application fees which have been returned, as and when requested by the NCTE.”

5. As is manifest from the above, the judgment ultimately handed down was made dependent on a policy decision which the NCTE would take with respect to continuance of ITEP in subsequent academic sessions coupled with an evaluation of the infrastructure set up by the respondent and it being found compliant with the requirements of the course.

6. In that view of the matter, we find no justification to interfere with the judgment handed down by the learned Single Judge. This, we note, since even if the NCTE has subsequently taken a decision to



discontinue ITEP either in academic session 2022-23 or thereafter, the same would clearly constitute an independent cause of action.

7. Insofar as the ultimate direction framed by the learned Single Judge is concerned and which clearly does not or positively require NCTE to continue a program in a particular academic year, we find no merit in the challenge that stands raised. In fact, the appeal itself, for all practical purposes, is rendered infructuous since the direction itself stood confined to academic session 2022-23.

8. The appeal shall, consequently, stand dismissed.

YASHWANT VARMA, J.

HARISH VAIDYANATHAN SHANKAR, J.

MARCH 19, 2025/neha