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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 3479/2025 & CM APPL. 16277/2025

ZULEKHA COLLEGE OF EDUCATIONPetitioner

Through: Mr. Sanjay Sharawat, Sr. Adv. with
Mr. Ashok Kumar and Mr. Ayush
Aanand, Advs.

versus

NATIONAL COUNCIL FOR TEACHER EDUCATION & ANR.

.....Respondents

Through: Mr. Akhilesh K. Srivastava, SC for
NCTE.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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03.04.2025

1. The present petition has been filed under Article 226 of the Constitution of India seeking the following relief:

[a] Issue a writ of certiorari and quash the withdrawal order dated 11.08.2023 passed by the Respondent No.2 vide which the recognition of the Petitioner for B.Ed. Course has been withdrawn; and

[b] Issue a writ of certiorari and quash the order dated 19.12.2023 passed by the Respondent No.1 vide which the statutory appeal filed by the Petitioner has been dismissed; and

[c] Issue a writ of mandamus and direct the Respondent No.2 to issue an order of restoration of recognition of the Petitioner for B.Ed course clearly stating that the Petitioner is entitled to admit students for B.Ed course for academic session 2025-26 and for all subsequent academic sessions; and

[d] Issue a writ of mandamus and direct Respondent No.2 to reflect the status of the Petitioner as a recognized institution on its official website and to intimate the same to its affiliating University [Rashtrasant Tukadoji Maharaj Nagpur University, Maharashtra] and to the "Education Secretary, [Higher Education] Govt of Maharashtra".; and



2. Mr. Sanjay Sharawat, the learned Senior Counsel for the petitioner submits that the recognition granted to the petitioner institute has been withdrawn *vide* impugned order dated 11.08.2023. He submits that before withdrawing the recognition, the petitioner was not served with any show cause notice as mentioned in the impugned order dated 11.08.2023. The reasons for withdrawing recognition as referred to in the impugned order reads thus:

“3. AND WHEREAS, the matter was placed in 366th meeting of WRC held on 12th & 14th July, 2022 and Committee decided as under:-

“3. The original file of the Institution, Visiting Team Report along-with other related documents were carefully examined by WRC in the light of NCTE Act, 1993, Regulations and Guidelines issued by NCTE from time to time and the following observation was made:

- Final Show Cause Notice issued on 31.05.2015 Reply not received within stipulated time.*
- The institution has also not uploaded the necessary information on its official website.*
- The institution has also not submitted the filled copy of the Performance Appraisal Report.*

In view of the above, the Committee decided to withdraw the recognition of B.Ed. U/S 17 of the NCTE Act 1993, with effect from the end of the academic session next following the date of communication of the said order.”

4. NOW THEREFORE, in terms of decision of WRC, recognition granted to Zulekha College, Plot No.06, Mount Road, Extension Sadar, Nagpur-440001, Maharashtra for B.Ed. course with an annual intake of 50 students (one basic unit of 50 students) is hereby withdrawn under Section 17 of the NCTE Act 1993 with effect from the end of the academic session next following the date of the communication of the said order.”



3. This Court while issuing notice *vide* order dated 20.03.2025 had granted two weeks' time to the respondents to file the counter affidavit. However, the learned counsel for the respondents submits that there is no need to file the counter affidavit as he has sought instructions from the respondents.

4. He fairly states that the show cause notice mentioned in the impugned order dated 11.08.2023 was never issued to the petitioner and it has inadvertently been mentioned in the impugned order that final show cause notice dated 31.05.2015 was given to the petitioner to which the petitioner did not reply.

5. In view of the aforesaid submission of the learned counsel for the respondents, this Court finds that since no show cause notice in terms of Section 17 of NCTE Act, 1993 has been given and there is complete non-compliance of the principles of natural justice, the impugned order dated 11.08.2023 is unsustainable in law. Accordingly, the impugned order dated 11.08.2023 is quashed and set aside.

6. Consequently, the order of the learned Appellate Authority dated 19.12.2023 has also been rendered unsustainable and the same is also set aside.

7. Resultantly, the respondent no.2 is directed to issue an order of restoration of recognition of the petitioner's institute for B.Ed course clearly stating that the petitioner's institute is entitled to admit students in B.Ed course for an Academic Session 2025-26 and for all subsequent academic sessions.

8. Further, the respondent no.2 is also directed to reflect the status of the petitioner's institute as a recognised institute on its official website and to



intimate the same to its affiliating universities i.e., [*Rashtrasant Tukadoji Maharaj Nagpur University, Maharashtra*] and to the “Education Secretary, [Higher Education] Govt. of Maharashtra”.

9. Let consequential directions passed by this Court be complied with by the respondents within a period of three weeks.

10. With the aforesaid directions, the petition stands disposed of.

VIKAS MAHAJAN, J

APRIL 3, 2025/dss