



\$~84

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

+ **W.P.(C) 10043/2025 & CM APPL. 41764/2025**

**SHRI DR RATILAL KANJIBHAI PATEL AND SHRI KANTIBHAI
PATEL B.ED. COLLEGE & ANR.Petitioners**

Through: Mr. Amitesh Kumar, Ms. Priti
Kumari and Mr. Mrinal Kishore,
Advs.

versus

NATIONAL COUNCIL FOR TEACHER EDUCATION & ANR.

.....Respondents

Through: Ms. Renu Gupta, Standing Counsel
for NCTE.

**CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN**

**ORDER
17.07.2025**

%

1. The present petition has been filed seeking following relief:

“a) issue a writ of mandamus or any other suitable writ, order or direction staying the operation of the impugned decision of withdrawal of recognition of B.Ed. course taken by WRC in its 415th meeting held on 10th - 12th March, 2025 during pendency and till final decision of the statutory appeal submitted by the petitioner before NCTE with consequential direction to display the name of petitioner institution in the list/category of recognised institutions for conducting B .Ed. Course with intake of 100 seats (two basic units) on their website and to inform the affiliating university and the Department of Higher Education, Government of Gujarat regarding recognized status of



petitioner institution enabling inclusion and participation in the counseling & admission process for B.Ed. course for the present Academic Year 2025-26; and/or”

2. Mr. Amitesh Kumar, learned counsel appearing on behalf of petitioner submits that the WRC in its 415th meeting held on 10.03.2025-12.03.2025 has decided that the recognition granted to the B.Ed. course of petitioners institute be withdrawn under Section 17 of the NCTE Act, 1993 from the academic session next following the date of issue of withdrawal order.
3. He submits that though formal order of withdrawal of recognition has not been passed yet but since the minutes of 415th meeting of WRC were uploaded on the website, which led to the debarring of the petitioner from participating in further counselling, therefore, the petitioner was constrained to prefer an appeal before the Appellate Committee under Section 18 of the NCTE Act.
4. He submits that the Appellate Committee has not granted any interim relief to the petitioner since there is no power to that effect under the Rules. He invites attention of the Court to various orders passed by this Court whereby during the pendency of an appeal before the Appellate Committee, this Court had directed for staying the operation of the order of withdrawal of recognition.
5. One such order has been passed by the Coordinate Bench of this Court on 10.05.2019 in W.P.(C) 5064/2019 titled as ***Tiny Todd School and College Education Society and Anr. vs. National Council for Teacher Education and Anr.*** Para 15 of the said order, which is relevant, reads thus:



“15. There is already a precedent, in a judgment dated 14th May, 2018 passed by a Coordinate Bench of this Court in W.P.(C) 4815/2018 (Aryan College of Education v. NCTE), to the effect that, where the petitioner appeals before the Appellate committee, till a final decision is taken on the appeal, the operation of the order of withdrawal of recognition, remains stayed. In my view, this is a wholesome dispensation, especially in the light of para 28 of the judgment of the Supreme Court in **Vaishnav Institute of Technology (supra)**, which clearly notes the drastic nature of an order of derecognition of a functioning institution and the deleterious consequences that such action would have, on the dislocated students, teachers and staff. As such, I do not see that there can be any legitimate objection, to allowing the institution to function till the appeal is decided. I may note, in this context that, as was the case with the petitioner in **Aryan College of Education (supra)** the petitioner in this writ petition, too, has been functioning from 2007, i.e. for over 12 years as on date.”

(emphasis supplied)

6. In view of the above, issue notice. Ms. Renu Gupta, learned Standing Counsel appearing on behalf of respondent no.1/NCTE accept notice.
7. On being queried by the Court, Ms. Gupta fairly states that there are orders passed by this Court whereby similar petitions were disposed of directing stay of withdrawal order during the pendency of appeal before the Appellate Committee.
8. In view of the above, it is directed that operation of the impugned decision taken by WRC in its 415th meeting whereby recognition of petitioners' institution was withdrawn, shall remain stayed during the pendency of petitioners' appeal before the Appellate Committee. Consequently, the respondent no.2/WRC is also directed to update its website reflecting that status of petitioners' institution as recognized institution.



9. The petition alongwith pending application is disposed of in the above terms.

10. Needless to say that all concerned authorities including affiliating University will take cognizance of updation of petitioners' status on the website of the NCTE pursuant to the instant order.

VIKAS MAHAJAN, J

JULY 17, 2025
N.S. ASWAL