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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Judgment reserved on: 16.10.2025
Judgment pronounced on: 26.11.2025

+ W.P.(C) 15564/2025, CM APPL. 63653/2025 & CM APPL. 63654/2025

SRI RAJAJESHWARI COLLEGE OF EDUCATIONPetitioner
Through: Mr. Pawas Agarwal and Mr. Aakshay
Pundir, Advocates.

versus

NATIONAL COUNCIL FOR TEACHER EDUCATION
& ANR.Respondents
Through: Mr. Mohinder J.S. Rupal, Mr. Hardik
Rupal and Ms. Aishwarya Malhotra,
Advocates.

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

JUDGMENT

VIKAS MAHAJAN, J

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

“a) Issue a writ of mandamus or any other appropriate writ, order or direction, directing passing direction and declaration to the effect that withdrawal order dated 26.08.2025 issued by Respondent No.2 withdrawing recognition of the petitioner institution for running the B.Ed. course, shall, if binding, come into effect w.e.f. the end of academic session next following the date of communication of the said order, in terms of Section 17 of the National Council for Teacher Education Act, 1993;



b) Direct the Respondent No.2 i.e. SRC to reflect the status of petitioner institution on its official website as a recognized institution for running the B.Ed. course and consequentially communicate the said recognized status of the petitioner institution to its affiliating university and the state department of higher education, enabling the petitioner institution to participate in the ongoing counselling process so that it may admit students for the present academic session 2025- 26;

c) Direct the Respondent No.1 to decide the pending statutory appeal preferred by the petitioner institution against the withdrawal order dated 26.08.2026, in a time bound manner;”

2. Mr. Pawas Agarwal, learned counsel appearing on behalf of the petitioner submits that the withdrawal order dated 26.08.2025 has been issued by the respondent no.2/SRC whereby the recognition granted to the petitioner institution for running B. Ed course has been withdrawn.

3. He submits that the petitioner has already availed the remedy of statutory appeal before the Appellate Committee in terms of Section 18 of the NCTE Act 1993 [in short ‘the Act’].

4. He submits that the only concern of the petitioner in the present petition is premised on second proviso to sub-section (1) of Section 17 of the said Act which reads thus:

“17. Contravention of provisions of the Act and consequences thereof.— (1) Where the Regional Committee is, on its own motion or on any representation received from any person, satisfied that a recognised institution has contravened any of the provisions of this Act, or the rules, regulations orders made or issued thereunder, or any condition subject to which recognition under sub-section (3) of section 14 or permission under sub-section (3) of section 15 was granted, it may withdraw recognition of such recognised institution,



for reasons to be recorded in writing:

Provided that no such order against the recognised institution shall be passed unless a reasonable opportunity of making representation against the proposed order has been given to such recognised institution:

Provided further that the order withdrawing or refusing recognition passed by the Regional Committee shall come into force only with effect from the end of the academic session next following the date of communication of such order”

5. He invites attention of the Court to the withdrawal order dated 26.08.2025 to submit that the withdrawal of recognition has been made effective from the academic session 2025-26, which is contrary to the second proviso of Section 17(1) of the Act. Para 9 of the order dated 26.08.2025 is relevant, and the same reads as under:

“9. NOW THEREFORE, in exercise of the powers vested u/s 17(1) of the NCTE Act, 1993, the Southern Regional Committee hereby withdrawing the recognition granted to Sri Rajarajeswari College of Education, Kasireddy Narayana Nagar, Giddalpur, Prakasam District-523357, Andhra Pradesh for conducting B.Ed. programme of two years duration with an annual intake of 100 students (2 basic units) from the academic session 2025-26. The institution is not permitted to make further admissions in the B.Ed. programme henceforth. After withdrawal of recognition, the institution is not permitted to make fresh admissions in the B.Ed. programme. However, the students admitted earlier be allowed to complete the respective programme. On withdrawal of recognition, the affiliation if any granted under Clause 8(10) of NCTE Regulation, 2014 by the concerned affiliating body shall also be withdrawn.”

(emphasis supplied)

6. Mr. Agarwal contends that in terms of the second proviso to Section 17(1) of NCTE Act, the effect of withdrawal order can take place only from



the academic session next following the date of issuance of such withdrawal order. Elaborating on his submission, he submits that since withdrawal order has been passed during the year 2025, therefore, the same shall take effect only from the end of the next following session i.e. 2026-27.

7. On the other hand, Mr. Mohinder J.S. Rupal has referred to above quoted para 9 of the withdrawal order dated 26.08.2025 to contend that by virtue of the said withdrawal order, the institution is not permitted to make further admissions in the B.Ed programme henceforth. However, the students admitted earlier have been allowed to complete the respective programme. He places reliance on the **decision dated 22.11.2022** of the Division Bench of this Court passed in **LPA 376/2021** titled as **NCTE & Anr. V. Savita Devi Mahavidyalaya and Anr.**

8. Having heard the learned counsel for the parties, this Court finds that the issue in question is no more *res integra*. The Division Bench of this Court in **Savita Devi Mahavidyalaya** (supra), while interpreting second proviso to sub-section (1) of Section 17 of the Act, referred to the decision of the Punjab & Haryana High Court which was upheld by the Hon'ble Supreme Court, and observed as under:

“17. This Court has carefully gone through the aforesaid statutory provisions and is of the considered opinion that the interpretation put forth by the Respondent Institution is erroneous. A complete reading of Section 17 makes it very clear that the second proviso to Section 17(1) of the NCTE Act is a safeguard provided in respect of students already admitted in the college and by no stretch of imagination can it be construed to intend for fresh students to be admitted in a college which has been de-recognised by the NCTE. If such an interpretation is accepted, it will amount to granting premium to such de-recognised colleges and by no stretch of imagination a college which is de-



recognised can be permitted to admit the students for the next academic year. In fact, the students which are already studying in the college are being permitted on account of Section 17, to continue their studies.

*18. A similar controversy arose in the case of **Geeta College of Education v. National Council for Teachers Education and others**, (2013 SCC OnLine P&H 17209). The relevant extract of the judgment passed by the Punjab & Haryana High Court reads as under:*

“I have heard learned counsel for the petitioner in detail and perused the record.

When the order in CWP No. 14874 of 2013 was passed, the petitioner had only challenged the order dated 4.2.2013 which has been now upheld in appeal which was dismissed on 25.7.2013. It has no connection with the said writ petition because in that case the issue raised by the petitioner was that the order of withdrawal of recognition is not applicable from the academic the Session 2014-16 but from the Session 2013- 2015. Interim order was passed in that writ petition in terms of the order passed in CWP No. 14874 of 2013. However, in the present case while allowing the writ petition of the students bearing CWP No. 16436 of 2009 on 17.9.2010, this Court had passed the following directions:-

“(i) Respondent no. 4 will refund Rs. 5000/- charged from each students in excess of the prescribed fee for the year 2009-2010 or any other period by account payee cheques/bankdrafts within a period of one month, if not already paid;

(ii) The affiliating University or NCTE shall initiate action against respondent no. 4-College for violation of the regulations and notification dated 23.6.2009, in accordance with the rules after affording opportunity of being heard to respondent no. 4-College;

(iii) Since it is not possible to calculate the interest on the amount illegally recovered from the students, the College will compensate the students by additional amount of Rs. 1000/- per student in addition to Rs. 5000/- to be refunded. This amount



shall also be paid through account payee cheques/drafts to each student within a period of one month.”

This order has become final between the parties and the directions No. (i) and (iii) have also been complied with.

Insofar as direction No. (ii) is concerned that was for the affiliating University or the NCTE to initiate action against the College for violation of the Regulations and Notification dated 23.6.2009, in accordance with the Rules. The NCTE has taken action of de-recognition in terms of Section 17 of the Act as well as with regard to affiliation, which reads as under:-

“17. CONTRAVENTION OF PROVISIONS OF THE ACT AND CONSEQUENCES THEREOF

(1) Where the Regional Committee is, on its own motion or on any representation received from any person, satisfied that a recognised institution has contravened any of the provisions of this Act, or the rules, regulations, orders made or issued thereunder, or any condition subject to which recognition under sub-section (3) of section 14 or permission under subsection (3) of section 15 was granted, it may withdraw recognition of such recognised institution, for reasons to be recorded in writing:

Provided that no such order against the recognised institution shall be passed unless a reasonable opportunity of making representation against the proposed order has been given to such recognised institution:

Provided further that the order withdrawing or refusing recognition passed by the Regional Committee shall come into force only with effect from the end of the academic session next following the date of communication of such order.

(2) A copy of every order passed by the Regional Committee under sub-section (1),-



(a) shall be communicated to the recognised institution concerned and a copy thereof shall also be forwarded simultaneously to the University or the examining body to which such institution was affiliated for cancelling affiliation; and

(b) shall be published in the Official Gazette for general information.

(3) Once the recognition of a recognised institution is withdrawn under subsection (1), such institution shall discontinue the course or training in teacher education, and the concerned University or the examining body shall cancel affiliation of the institution in accordance with the order passed under sub-section (1), with effect from the end of the academic session next following the date of communication of the said order.

(4) If an institution offers any course or training in teacher education after the coming into force of the order withdrawing recognition under subsection (1) or where an institution offering a course or training in teacher education immediately before the appointed day fails or neglects to obtain recognition or permission under this Act, the qualification in teacher education obtained pursuant to such course or training or after undertaking a course or training in such institution, shall not be treated as a valid qualification for purposes of employment under the Central Government, any State Government or University, or in any school, college or other educational body aided by the Central Government or any State Government.”

According to the aforesaid provision, As per Section 17(1) of the Act, in case where recognised institution has contravened any of the provisions of this Act or the Rules, Regulations, orders made or issued thereunder, the NCTE can withdraw recognition of such recognised institution and there is no provision for any other form of punishment which can be imposed.



Thus, in these circumstances, it cannot be imagined that the NCTE has been harsh with the petitioner and could have imposed any other punishment because no such privilege has been given to the NCTE under the Act except to take action of withdrawing the recognition in case of contravention of any Rules etc.

Consequently, I do not find any merit in the present writ petition and the same is hereby dismissed.”

19. The aforesaid judgment delivered by the Punjab & Haryana High Court makes it very clear that in the case of an institution before the Punjab & Haryana High Court against which an order was passed on 04.12.2013, de-recognising the institute, the Petitioner college therein had made a prayer for the order of de-recognition to take effect only from the academic year 2014-16. Further, to hold that the decision of withdrawal of recognition w.e.f. academic session 2013-15 contrary to the provision of the Act, especially Section 17 of the NCTE Act, 1993. The petition was dismissed upholding the order of withdrawal of recognition dated 04.12.2013 and it was held that the same shall be applicable w.e.f. the academic session 2013-15, not from the next academic session i.e. 2014-16. A Special Leave Petition i.e. SLP (Civil) No(s). 28819/2013 was preferred before the Hon’ble Supreme Court in the matter and the Hon’ble Supreme Court in the aforesaid SLP has passed the following order on 12.09.2013:

“Heard Mr. Ashok K. Mahajan, learned counsel for the petitioner.

Taken on record.

The order dated 4.2.2013 passed by the National Council for Teachers Education withdrawing the recognition granted to the petitioner college clearly states that the withdrawal order shall come into effect from the end of the academic session next following the date of communication of that order. The withdrawal of recognition, thus, shall be effective from the academic session 2014. As a matter of fact, this has been noted in the impugned order as well. The apprehension of the petitioner that withdrawal of recognition has come into force from the academic session 2013 is misconceived and misplaced. Since the withdrawal of recognition shall come into force from the



academic session 2014, this necessarily implies that the petitioner shall not induct fresh students in the 1st year from the academic session 2013 lest their second order may be put in jeopardy. Special Leave Petition is dismissed with above observations.

20. The aforesaid order makes it very clear that the order dated 04.02.2013 passed by the NCTE therein, withdrawing the recognition of the institute was upheld. It was also held that the institution will not be entitled to admit the students in the academic session 2013. The order passed by the Hon'ble Supreme Court makes it very clear that Section 17 only provides a safeguard to the students studying in the college and no fresh lease of life to admit the students can be granted as argued before the learned Single Judge.

21. In light of the aforesaid judgment passed by the Supreme Court, the Order passed by the learned Single Judge to the extent that the learned Single Judge has directed the NCTE to reflect the status of the Respondent University as a recognised institution and permit the institution to admit students for the academic year 2021-22, is hereby set aside. The Appellate Committee of NCTE is requested to dispose of the appeal as expeditiously as possible if the same has not been done so far.

22. In the light of the aforesaid, the LPA stands disposed of. No order as to costs."

(emphasis supplied)

9. In the present case, the withdrawal order is dated 26.08.2025, therefore, the said order will take effect from the academic session 2025-26. As held by this Court in the above quoted decision, the second proviso to sub-section (1) of Section 17 of the Act only provides a safeguard to the students studying in the college, and the said proviso does not permit the petitioner to admit the students for the next academic session i.e. 2025-26 in the present case. By no stretch of imagination, the second proviso can be construed giving fresh lease of life to admit the students for the academic



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session 2025-26.

10. In view of the above, there is no merit in the submission of the learned counsel for the petitioner.

11. The petitioner is, therefore, dismissed. However, the Appellate Committee of NCTE is requested to dispose of the appeal under section 18 of the NCTE Act, preferred by the petitioner against the order of withdrawal of recognition dated 26.08.2025, as expeditiously as possible, if the same has not been done so far.

12. The pending applications are also disposed of.

VIKAS MAHAJAN, J

NOVEMBER 26, 2025

N.S. ASWAL