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

+ **W.P.(C) 18844/2025 & CM APPL. 78437/2025**

DR. RADHAKRISHAN T.T COLLEGE

.....Petitioner

Through: Mr. Sanjay Sharawat, Senior Advocate with Mr. Ravi Kant, Mr. Mayank Manish, Mr. Vineet Upadhyay, Mr. Ayush Aanand and Mr. Aaditya, Advocates.

versus

**NATIONAL COUNCIL FOR TEACHER EDUCATION
AND ANR**

.....Respondents

Through: Mr. Anuj Kapoor, Mr. Nandeesh Nanda and Mr. Shivom Sethi, Advocates for NCTE.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

11.12.2025

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1. This writ petition is filed on behalf of the Petitioner under Article 226 of the Constitution of India seeking the following reliefs:-

“(a) quash the Refusal Order dated 18.11.2025 issued by the Respondent No.2 (through email dated 18.11.2025), whereby, the Respondent No.2 has Refused the application of the Petitioner Institution submitted for transition of its B.A. B.Ed./ B.Sc. B.Ed. course to I.T.E.P., for the academic session 2026-27; without following the mandatory procedure; and

(b) direct the Respondent No.2 to restore, reconsider & decide the aforesaid application of Petitioner Institution, submitted for transition of its B.A. B.Ed. / B.Sc. B.Ed. course to I.T.E.P., for the session 2026-27; within a reasonable time & in accordance with the provisions made therefore.”

2. Issue notice.

3. Mr. Anuj Kapoor, learned counsel accepts notice for the Respondents.



4. Mr. Sharawat, learned Senior Counsel for the Petitioner assails the refusal order dated 18.11.2025, whereby the application submitted by the Petitioner for grant of recognition for Integrated Teacher Education Programme (ITEP) for session 2026-2027 has been refused under Sections 14/15(3)(b) of National Council of Teacher Education Act, 1993 (NCTE Act). It is urged that impugned order has been passed without following the procedure laid down in Proviso to sub-Section (3)(b) of Section 14 of NCTE Act, which provides that before passing any order under sub-Clause (b), the Regional Committee shall provide a reasonable opportunity to the concerned institution for making a written representation. Mr. Sharawat submits that at this stage, Petitioner will be satisfied if a direction is issued to the Respondents to issue a show cause notice and give an opportunity to the Petitioner to make a representation.

5. Learned counsel for the Respondents submits that this writ petition is not maintainable as in fact there is no refusal by the Respondents *albeit* the impugned order dated 18.11.2025 is unhappily worded. It is argued that there is a distinction between 'rejection' and 'refusal' of an application. Where the application is incomplete and/or requisite documents are not attached, the application is to be rejected summarily under Regulation 7(1) and (2) of National Council of Teacher Education (Recognition Norms and Procedure) Regulations, 2014 (Regulation 2014), whereas refusal of recognition is on ground of furnishing false information or concealment of facts, which may have a bearing on the decision-making process under Regulation 7(3). The argument is that in the present case, order dated 18.11.2025 indicates that there were deficiencies in the application filed by the Petitioner seeking recognition such as the Petitioner did not upload



Memorandum of Collaboration, Certificate issued by the State Government justifying requirement for teacher education programme in the area etc., and therefore, there is no refusal of recognition. Hence, there was no requirement to issue to show cause notice under Section 14 (3) (b) of NCTE Act, before rejecting the application.

6. From a plain reading of impugned order dated 18.11.2025, it is evident that the order is based on decision taken by Western Regional Committee noting that certain deficiencies pertaining to uploading of documents persisted. Due to the alleged shortcomings in the application, a refusal order has been passed invoking Sections 14/15(3)(b) of NCTE Act as also Section 17(4). Once the deficiencies were found by the Respondents and that became the basis to deny recognition, it cannot be argued by them that no opportunity was required to be granted to the Petitioner to make a representation and/or remove the alleged shortcomings. There is no gainsaying that any order that visits a person or an entity with civil consequences must pass muster of compliance with principles of natural justice. Perusal of the impugned order dated 18.11.2025 does not indicate compliance with Proviso to sub-Section (3)(b) of Section 14 of NCTE Act which mandates that opportunity of making a representation has to be given before recognition is denied to an institution and hence, there is violation of principles of natural justice as also of the mandatory statutory provision and the order cannot be sustained.

7. The argument of the Respondents that there is distinction between rejection and refusal and since the present case is not one of refusal and does not fall under Regulation 7(3), no opportunity was required to be given to make a representation *albeit* ingenious, cannot be accepted. Regulation 7



deals with the procedure of processing the applications. Regulation 7(1) provides that in case the application is not complete or requisite documents are not attached with the application, the same shall be treated incomplete and rejected. The circumstances where application shall be summarily rejected are provided in Regulation 7(2)(a) and (b), which are failure to furnish application fee and print out of the applications made online along with land documents, respectively. Regulation 7(3) provides that furnishing any false information or concealment of facts in the application, which may have a bearing on the decision-making process or decision pertaining to grant of recognition, shall result in refusal of recognition. The present case does not fall under Regulation 7(3) but falls under Regulation 7(1). Be that as it may, this distinction under the procedural provisions prescribed under Regulation 7 is irrelevant for the purpose of Section 14(3)(b) of NCTE Act. Proviso to Section 14(3)(b) provides that before passing an order refusing recognition to an institution, the Regional Committee shall provide a reasonable opportunity to the concerned institution for making a written representation. Sub-Clause (b) applies where the Regional Committee is of the opinion that the institution does not fulfil the requirements laid down in sub-Clause (a), which lays down the parameters required to be met for grant of recognition and includes adequate financial resources, accommodation, library, qualified staff, laboratory etc. The word 'refusing' in sub-Clause (b) cannot be confused with 'refusal' in Regulation 7(3). Therefore, the contention that no show cause notice is required to be given is wholly misconceived and is rejected.

8. Accordingly, without going into the merits of the case, this writ petition is allowed to a limited extent of setting aside impugned order dated



18.11.2025 on the ground that it was passed without affording reasonable opportunity to the Petitioner to make a written representation. It will be open to the Respondents to issue a show cause notice to the Petitioner pointing out deficiencies/shortcomings and calling upon the Petitioner to make a written representation. On receipt of the show cause notice, Petitioner shall submit its response within two weeks from the date of receipt and thereafter, it will be open to the Respondents to pass a fresh order in accordance with law and after considering the representation. The order shall be passed within two weeks and communicated to the Petitioner. Needless to state, the Petitioner will be at liberty to take recourse to legal remedies in case it is aggrieved by the order.

9. It is made clear that this Court has not expressed any opinion on the merits of the case.

10. Pending application stands disposed of.

JYOTI SINGH, J

DECEMBER 11, 2025/YA