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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 4466/2026 & CM APPL. 21812/2026**
B ED COLLEGE VIJAYNAGAR & ANR.

.....Petitioners

Through: Mr. Amitesh Kumar, Ms. Priti
Kumari, Mr. Pankaj Kumar Ray, Advocates

versus

NATIONAL COUNCIL FOR TEACHER EDUCATION & ANR.

.....Respondents

Through: Mr. Mohinder Rupal, Mr. Hardik
Rupal, Ms. Aishwarya Malhotra, Ms. Tripta
Sharma, Advs.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **06.04.2026**

1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayer(s):-

“i. issue a writ of mandamus or any other suitable writ, order or direction holding that the show cause notice dated 14.08.2025 issued by Regional Director, WRC in terms of decision taken by WRC in its 432nd meeting held on 6th - 8th August, 2025 be treated to be only the communication to petitioner institution calling upon response of the institution to various aspects mentioned in the show cause notice in respect of B.Ed course and permit the petitioner to submit response within a period of 30 days; . .”

2. It is the case of the petitioners that the respondents have issued a



Show Cause Notice dated 14.08.2025, wherein the operative portion reads as under:-

“In view of the above, the Committee decided that in pursuance of above directions issued vide order dated 28.07.2025 of Hon'ble High Court of Delhi, the WRC in its 432nd (Part-1) meeting held on 6th-8th August, 2025 decided that recognition for B.Ed. course with annual intake of 100 is restored with a copy endorsed to institution and all concerned and status of institution as recognized be reflected on the NCTE website.

11. AND WHEREAS, the WRC in its 432nd (Part-1) meeting observed that the institution did not submit compliance report regarding fulfillment of conditions mentioned in the Revised Recognition Order dated 31.05.2015 pertaining to its existing premises wherein recognition for B.Ed. course was initially granted by NCTE.

“On going through the case in details, the Committee noted that the institution is required to submit compliance report regarding fulfillment of conditions mentioned in the Revised Recognition Order.

(i) The institution is required to submit latest original certified copy Land Documents issued by Competent Authority of State Government.



(ii) *The institution is required to submit Mutation Certificate issued by Competent Authority of State Government.*

(iii) *The institution is required to submit latest Non-Encumbrance Certificate (NEC) issued by Competent Authority of State Government indicating that the land is free from all encumbrances issued by Competent Government Authority.*

(iv) *The institution is required to submit Land Use Certificate (CLU) mentioning name of the institution/society, all Khasra Nos. Plot No./Survey No., land area after conversion to use the land from agriculture to educational purpose issued by the Competent Government Authority.*

(v) *The institution is required to submit latest original certified Building Plan approved by the Competent Authority of State Government indicating name of institution/society, Khasra/Plot/Survey No. and mentioning the total land area and total built-up area earmarked for each course being run in the premises and the demarcated land area and built-up area for the teacher education programmes including multi-disciplinary programmes, if any.*

(vi) *The institution is required to submit latest Building Completion Certificate (BCC) in the prescribed format of NCTE (17 points) issued by the Competent*



Government Authority for all the courses being conducted in the premises.

(vii) The institution is required to submit Building Safety Certificate in adherence of safety guidelines as prescribed by National/State Disaster Management Authority issued by Competent Government Authority.

(viii) The institution is required to submit latest Fire Safety Certificate issued by Fire Safety Department, Government of Rajasthan verifiable on the official portal of the Fire Department, Government of Rajasthan.

(ix) The institution is required to submit latest Certificate to the effect that the building is differently abled friendly from the Competent Government Authority.

(x) The institution is required to submit latest/ current faculty list approved & signed on each page by concerned affiliating body in original for all recognized courses separately with the details of their teaching subject, date of birth, date of selection/appointment, date of joining, academic qualifications, teaching experience, NET/Ph.D. (NCTE's Gol dated 09.06.2017), salary structure and related documents duly attested by authorized representative of management along with copy of approval letter of affiliating body.



(xi) *Notarized original affidavit on Rs. 100/- on non-judicial stamp paper by the management and Rs.10/- non-judicial stamp paper by individual selected/appointed faculty in the NCTE prescribed proforma.*

(xii) *The institution is required to submit details of salary disbursed to the faculty along with six months Bank statement and account number of each faculty member.*

(xiii) *The institution is required to submit copies of valid Fixed Deposit Receipts issued by Nationalized/ Scheduled Bank towards Endowment Fund (Rs.5.00 lakh) & Reserve Fund (Rs.7.00 lakh) in the joint operation mode with Regional Director, WRC, NCTE and the Management along with duly filled Bank Form "A" in original, verified/signed by the Manager of the Bank as per NCTE Regulations, 2014 for each recognized teacher education course separately.*

(xiv) *The institution is required to submit compliance regarding all laid down conditions in light of Clause 7(14)(i), 8(6), 8(14) and 10(3) of NCTE Regulations, 2014 as amended from time to time.*

The Committee decided that Show Cause Notice u/S 17(1) of NCTE Act, 1993 be issued to the situation with direction to comply all conditions in pursuance of revised recognition



order and submit reply with relevant documents certified by the management supported with an affidavit within 21 days from the date of issue of the Notice.”

12. NOW THEREFORE, the institution is required to submit the representation/compliance accompanied with an affidavit from the authorized representative of the Management. The representation along with an affidavit must reach this office within the time specified at the end.

13. In case the reply submitted is incomplete or factually incorrect or not received in this office by the date mentioned at the end of this letter, then appropriate action as deemed fit u/s 17 shall be taken against your institution.

14. It is expected that your reply shall reach this office through Courier/Registered AD/Speed Post only, NCTE does not expect applicant to personally visit the WRC office for any reason whatsoever.

15. Your reply, complete in respects, reach this office along with all relevant supporting documents on or before 21 days of the issuance of this letter as per the provisions contained in the NCTE Act 1993 and Regulations.

Receipt of this Notice may please be acknowledged.”



3. This order is being passed in view of a similar order dated 17.04.2023 passed in W.P.(C) 3767/2023, covering the present issue. Based upon the said order and using the same reasons and expressions, this order is being passed.

4. Mr. Kumar, learned counsel for the petitioners, raises a short grievance with respect to invocation of the provisions of Section 17 of the National Council for Teacher Education Act, 1993 (“**1993 Act**”). He submits that the NCTE grants the recognition once it records its satisfaction that all infrastructural facilities are in place, in accordance with the provisions of the Act and the Regulations made thereunder. He further submits that in any case after grant of recognition, if the NCTE wishes to verify any fact or requires any other information, the same can always be communicated to the concerned institution but in no case such a communication should be described as under Section 17 of the 1993 Act.

5. He, therefore, submits that notice under Section 17 of the 1993 Act causes prejudice to the institution and it creates impression to public at large, that such an institution is ill maintained. He while referring to the nature of the information mentioned in communication dated 14.08.2025 states that all those documents were already submitted by the petitioners before the recognition was granted to the petitioners. In any case, the petitioners is still willing to refurnish those information.

6. Learned counsel further draws my attention to the judgment of the Coordinate Bench dated 27.03.2023 titled **B.R.T.T. College v. National Council for Teacher Education** passed in W.P.(C) 8635/2020 and **connected matters**. The relevant paragraphs read as under:-

“15. If the provisions of Section 17 of the Act of 1993 are



considered in juxtaposition to the provisions of Sections 14 and 15 of the Act, it would indicate that if the RC intends to proceed for withdrawal of the recognition/permission so granted, it has to record its prima facie opinion on the basis of some facts or material which is available with it that necessitated action under Section 17 of the Act of 1993. If the provision of Section 17 of the Act of 1993 and the first proviso are harmoniously construed, the same would mean that before issuance of notice for withdrawal, the RC has to record reason as to which of the conditions stipulated under the Act, Regulation, Order, etc. is found to be violated by the concerned institution.

16. There has to be distinction between issuing letter seeking information from the institution simpliciter and notice under Section 17 of the NCTE Act of 1993. All communications or letters cannot, therefore, be made invoking Section 17 of the Act of 1993, unless invocation of Section 17 is inevitable.

17. Any SCN without any application of mind or material will not serve any fruitful purpose. On the other hand, it causes unnecessary harassment for the institution and the credibility of the institution becomes at stake, therefore, the “satisfaction” test may not be strictly applicable at the stage of SCN, but at least some material must exist apropos to the institution so that the same can be replied to by the institution.

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26. In view of the aforesaid discussion, the decision with



respect to 316th and 325th meeting of RC are directed to be treated as communications to each institution, calling upon them to submit their responses instead of the same being notices under Section 17 of the Act of 1993.”

7. A perusal of the said judgment clearly shows that the present Show Cause Notice is contrary to the judgment and is only a document seeking information from the petitioners.

8. For the said reasons, issue notice.

9. Mr. Rupal, learned counsel accepts notice on behalf of the respondents and states that the petitioners are under an obligation to furnish the relevant information asked by the NCTE and if the petitioners do not furnish the information, then necessary consequences will have to follow. He states that in any case, once the information so required is furnished by the petitioners, the respondents will scrutinise the same and then invoke the power under Section 17 of the 1993 Act for withdrawal of recognition, if found necessary.

10. He further draws my attention to the judgment of ***Union of India v. Kunisetty Satyanarayana, (2006) 12 SCC 28*** and more particularly paragraph 13 which reads as under:-

“13. It is well settled by a series of decisions of this Court that ordinarily no writ lies against a charge-sheet or show-cause notice vide Executive Engineer, Bihar State Housing Board v. Ramesh Kumar Singh [(1996) 1 SCC 327 : JT (1995) 8 SC 331] , Special Director v. Mohd. Ghulam Ghouse [(2004) 3 SCC 440 : 2004 SCC (Cri) 826 : AIR 2004 SC 1467] , Ulagappa v. Divisional Commr., Mysore [(2001) 10 SCC



639] , *State of U.P. v. Brahm Datt Sharma* [(1987) 2 SCC 179 : (1987) 3 ATC 319 : AIR 1987 SC 943] , etc.”

11. He also relies upon the judgment of the Gujarat High Court passed in ***P.M. Patel College of Education v. Sardar Patel University, 2021 SCC OnLine Guj 151***. The relevant paragraph reads as under:-

“64. Keeping in mind the above provisions, I am of the view that the present petition cannot be allowed on the following grounds. **First**, on the show-cause notice, the writ petition is not maintainable and therefore, the judgment on which the petitioner has relied upon would not squarely applicable to the facts of present case. Mere a show-cause notice or notice itself does not infringe the right of anyone. It is only when the decision is taken, then the party can have any grievance against the said order. No doubt, in a very rare and exceptional case, the High Court quashes the show-cause notice if it is found without jurisdiction or for some reason, it is wholly unreasonable. The petition has not made out any such case or allegation against the respondents. Under the circumstances, the writ petition is not maintainable. **Second**, pending the petition, the admission process has already over on 29.10.2020. Under the circumstances, I am of the view that the present petition has become infructuous. Under the circumstances, I am of the view that it would not be advisable for this court to enter into the merits and demerits of the case. In the decision in case of *State of Hariyana v. Krisna Rice* reported in (1981) 4 SCC 148 : AIR 1982 SC 1106, the



*Apex Court has clearly laid down that once the petition has become infructuous, the High Court should not decide it on merits. Under the circumstances, I am of the view that the petition does not require any further consideration and requires to be dismissed as having become infructuous. **Third**, the appeal is provided against the order dated 4.5.2010. The NCTE Act is complete code, it provides efficacious remedy The writ is barred by alternative remedy.*

12. The law with regard to issuance of writ against Show Cause Notices is well settled. The Courts should refrain from interdicting the effect and operation of the Show Cause Notices but in the present case, the judgment of the Coordinate Bench dated 27.03.2023 has attained finality and it clearly draws a distinction that a Show Cause Notice under Section 17 of the 1993 Act must be based on an application of mind by the respondents and a prior satisfaction needs to be recorded that there are some materials which exist for the institution to reply to.

13. The present Show Cause Notice shows that there is no application of mind and except for a phrase “still deficient”, there is not other basis to substantiate the deficiencies. The operative paragraph only calls for information from the petitioners.

14. Though letter dated 14.08.2025 is nomenclatured as a Show Cause Notice under Section 17 of the 1993 Act, a closer scrutiny *prima facie* seems to suggest the notice is only seeking information from the petitioners.

15. The appropriate course, to my mind, would have been that after submission of these documents, the respondents should have applied its mind whether the document supplied still show deficiencies on the part of



the petitioners and thereafter issue a notice under Section 17 of the 1993 Act.

16. In the view of the aforesaid, the following directions are passed:-

(i) Let the Show Cause Notice dated 14.08.2025 be treated as only a “communication” to the petitioners calling upon to furnish the relevant information.

(ii) The petitioners shall furnish the relevant information within a period of three weeks.

(iii) The respondents after scrutinising the response to be made by the petitioners shall examine the same and take a decision as to whether Section 17 of the Act of 1993 is to be invoked or otherwise.

17. With the aforesaid directions, the petition stands disposed of along with pending applications, if any.

JASMEET SINGH, J

APRIL 6, 2026 / (MS)