



2026:DHC:4076



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

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Date of Decision: 08.05.2026

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CONT.CAS(C) 828/2026**VIDYAWATI CHATURVEDI SHIKSHA MAHAVIDYALAYA**

.....Petitioner

Through: Mr. Rishabh Kumar, Ms. Ritu
Kumari, Mr. Keshav Sharma, Advs.

versus

MS. SUKHGEET KAUR, MEMBER SECRETARY AND ANR

.....Respondents

Through: Mr. Anuj Kapoor, Mr. Shivom Sethi,
Mr. Nandeesh Nanda, Advs.**CORAM:****HON'BLE MR. JUSTICE SACHIN DATTA****SACHIN DATTA, J. (ORAL)****CM APPL.31182/2026 (Exemption)**

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

CONT.CAS(C) 828/2026

3. The present petition has been filed by the petitioner alleging wilful disobedience/ non-compliance of the directions contained in the order 20.03.2026 passed by this Court in W.P.(C) 2633/2020.

4. The petitioner was granted recognition *vide* an order dated 12.09.2008 by the Western Regional Committee (WRC) of NCTE/respondent no.2 for running a B.Ed course with an annual intake of 100 seats. Following a series of regulatory actions, including a withdrawal of recognition in 2017, the concerned appellate authority before which the said withdrawal was challenged by the petitioner remanded the matter back to respondent



no.2/WRC for fresh consideration.

5. Pursuant thereto, the respondent no.2 restored the petitioner's recognition on 09.07.2018, but reduced the intake from 100 seats to 50 seats. This reduction was based on the allegation that two faculty members lacked the required NET qualification as per the extant regulations.

6. The said decision to reduce intake by the WRC came to be appealed by the petitioner before the concerned appellate authority. However, the said appeal came to be dismissed *vide* an order dated 15.05.2019.

7. Consequently, the petitioner challenged the said reduction by way of W.P.(C) 2633/2020. On 20.03.2026, the following order came to be passed by the Court:-

1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers:

*" A. issue an appropriate writ[s]/direction[s] or order[s] seeking quashing and setting aside the impugned order dated 09.07.2018 passed by the WRC and order dated 15.05.2019 passed by the NCTE whereby the intake of 100 seats were reduced by the WRC, NCTE to 50 seats as also statutory appeal was rejected by the NCTE without considering the application, faculties approved by the affiliating body and infrastructural availability; and/or
B. issue an appropriate writ[s]/direction[s] or order[s] directing the respondents to restore the recognition order dated 12.09.2008 and revised order dated 27.05.2015*



issued by the WRC, NCTE, from next academic session; ..."

2. The present case pertains to the challenge of the impugned Order dated 09.07.2018 wherein the respondent adjudicated the application of the petitioner and the intake of 100 seats for B.ED. course was reduced to 50 seats.

3. The operative portion of the Restoration Order bearing No. F. No. WRC/APW05726/223621/294th/2018/199053 dated 09.07.2018 reads as under:

"AND WHEREAS the clarification letter issued on 29.06.2018 and reply clarification received on 25.06.2018. AND WHEREAS, the matter was placed in 294th Meeting held on July 04-05, 2018 of WRC and the Committee decided that "Consequent to the appeal order. Clarification on letter dated 29.06.2018 was issued to the institution regarding the appointment of two lecturers. The institution has appointed two additional staff but they do not have the required NET qualification as per NCTE notification published on 09.06.2017.

Hence, Recognition is restored but with one unit.

NOW THEREFORE, the recognition of VIDYAWATI CHATURVEDI SHIKSHA MAHAVIDYALAYA, RUN BY PRIYAVRAT MAHILA UTTAN SAMITI. HOUSE NO.-38, 40. WARD NO.-33, KHASRA NO., 3402, SARASWATI NAGAR PANNA ROAD, CHHATTARPUR, MADHYA PRADESH for conducting B.Ed. course with an annual intake of 50 students (one basic units of 50 students) is



hereby revived."

4. Mr. Manish, learned counsel for the petitioner, states that without prejudice to the fact that the Order is contrary to the judgment dated 11.04.2019 passed in W.P(C) 241/2018, the petitioner has already changed the two lecturers not possessing the required NET qualification and hence this ground of two teachers without the required NET qualifications no longer subsists.

5. He further states that the present petition may be disposed of directing the respondent to treat the present petition as a representation. Mr. Rupal, learned counsel has no objection to the same.

6. In this view of the matter, it is directed that the respondent No. 2 will consider the present petition as a representation and decide the same within 4 weeks from today after giving personal hearing to the representative of the petitioner in accordance with the existing rules.

7. In case there is any deficiency in the documents/additional requirements regarding teachers, the respondent shall prior to deciding the application inform the petitioner in writing and the petitioner would be given an opportunity to rectify the shortcomings.

8. Accordingly, the petition is disposed of.

8. It transpires during the course of hearing that the representation of the petitioner came to be rejected during the final Minutes of the 457th Meeting of the Western Regional Committee (WRC)/respondent no.2 held between 20th and 22nd April, 2026 only for the reason that the petitioner had not submitted a fresh application in online mode in the prescribed format, along with the prescribed processing fee. The operative portion of the decision taken is as under:-



The Committee noted that the submission made by the institution in the Writ Petition, to be treated as a representation in pursuance of the directions of the Hon'ble High Court of Delhi, has been duly considered and examined. The Committee further noted that the institution is, in effect, seeking restoration of the second unit of its B.Ed. course, which would amount to an increase in annual intake from the existing 50 seats (one unit) to 100 seats (two units). The Committee observed that under Section 15 of the NCTE Act, 1993, read with the NCTE (Recognition Norms and Procedure) Regulations, 2014, and the National Council for Teacher Education Rules, 1997, an institution seeking an increase of intake in an existing recognised course is mandatorily required to submit a fresh application in online mode in the prescribed format, along with the prescribed processing fee. The Committee noted that no such application has been submitted by the institution through the prescribed online mode as required under the extant Regulations. In view of the above, the representation of the institution seeking restoration of the second unit in the B.Ed. course cannot be acceded to, as allowing the same in the absence of a formal application would be contrary to and in contravention of the relevant provisions of the NCTE Act, 1993, Rules and Regulations made thereunder, and would lead to an anomalous situation inconsistent with the statutory framework governing recognition and increase of intake. Accordingly, the representation is found to be devoid of merit and is disposed of. The institution is at liberty to apply afresh for increase of intake in the existing B.Ed. course in accordance with the prescribed procedure, as and when applications are invited by the NCTE.

9. Clearly, the respondent no.2/WRC has not considered the application of the petitioner on merits and has sought to reject the same only on a technical ground that the petitioner has failed to submit a fresh application in online mode in the prescribed format. The same *ex facie* results in wilful disobedience of the directions contained in the order dated 20.03.2026. In terms thereof, the respondent no.2 was mandated to consider the representation of the petitioner on merits. It was also implicit that an opportunity of hearing would be provided to the petitioner before taking the requisite decision. Paragraph-7 of the order dated 20.03.2026 goes on to clarify that an opportunity would be afforded to the petitioner to provide any document/ fulfil any additional requirement, so as to rectify any shortcoming.

10. In the circumstances, the decision taken during the final Minutes of the 457th meeting of the Western Regional Committee (WRC) held between 20th and 22nd April, 2026 *qua* the petitioner is set aside, being in wilful



2026:DHC:4076



disobedience of the directions contained in the order dated 20.03.2026. It is agreed that the matter shall be considered afresh by the respondent no.2/Western Regional Committee (WRC) on merits and in accordance with law in line with the extant policy of the NCTE. An opportunity of hearing shall also be given to the petitioner.

11. Let the said exercise be completed as expeditiously as possible and in any event within a period of two weeks from today.
12. The petition is disposed of in the above terms.
13. Order *dasti*.

SACHIN DATTA, J

MAY 8, 2026/uk