



**Bhartiya Education Society & anr. Vs. National
Council for Teacher Education & Ors.
CWP No. 12284 of 2025.**

29.07.2025 Present: Mr. Karan Singh Kanwar, Advocate, for the
petitioners.
Mr. B. Nandan Vasishta, Advocate, for respondents
No.1 & 2.
Ms. Ranjana Pathania, Advocate, for respondent
No.3.

CWP No. 12284 of 2025

Notice. Mr. B. Nandan Vasishta and Ms. Ranjana
Pathania, learned counsel, accept notice on behalf of
respondents No.1, 2 and 3, respectively. As prayed for, reply
be filed, within a period of six weeks. List thereafter.

CMP No. 18072 of 2025

Notice in above terms. Learned counsel for the
petitioner has drawn the attention of the Court to the
documents appended with the petition. He referred to the
show cause notices issued to the petitioner and last thereof
was issued on 12.10.2023, copy whereof is appended with
the petition as Annexure P-8. He further submitted that
though reply thereto was submitted by the petitioner forthwith
in terms of Annexure P-9 on 02.12.2023, yet the impugned
order has been passed by the Authorities, not only after more
than 1 ½ years but on the verge of the counselling, which is to
take place for admitting students for the academic session

2025-26 in near future. He thus submitted that the act of the respondents is hit by legal mala-fides, as the timing of the passing of the order is highly suspicious.

On the other hand, learned counsel for respondents No.1 & 2 submitted that the petition is not maintainable as the petitioner has got a statutory remedy to assail the order.

Having heard learned counsel for the petitioner as also learned counsel for respondents No.1 & 2, this court is of the considered view that in the peculiar facts and circumstances of this case, the petitioner indeed has the right to invoke extraordinary jurisdiction of this Court, for the reason that there indeed is a serious suspicion with regard to the timing of the passing of the impugned order. Despite opportunity granted to the learned counsel for the respondents he could not satisfactorily explain as to why the impugned order was passed in the month of May, 2025, despite the fact that last show cause notice was issued as far back as in the month of October, 2023 and reply thereto was filed by the petitioner in the month of December, 2023.

Therefore, as the petitioner has been able to make out a prima facie case and further as balance of convenience is also in his favour because if the operation of the impugned order is not stayed, the petitioner will suffer from irreparable loss as it would not be in a position of admit students, the

operation of Annexure P-10, Agenda Items No.3, as far as it relates to the petitioner, is hereby stayed. However, it is clarified that in case, any students are admitted in the courses being run by the petitioner for the academic session 2025-26 then they shall be expressly informed that their admission will abide by the outcome of this writ petition.

Respondents No.1 & 2 shall forthwith act on the stay order granted by this Court and shall take steps to intimate the public that this Court has stayed the impugned order.

(Ajay Mohan Goel)
Judge

July 29, 2025
(Shivank Thakur)