

F.No.ERCAPP7/2012/B.Ed./BH/2022/

Dated: 26-07-2022

To,

**The Principal/Correspondent,
Maryada Purushotam College of Education,
Plot No. 1245,1246,1247,1248
Village/Post- Chilhari, Tehsil/Taluka- Dumraon,
Town/city- Buxur, Distt- Buxur
Bihar-802101**

**Sub: Compliance order passed by Hon'ble High Court in W.P.(C) 10756/2022 & CM
APPL 31255/2022 filed by Maryada Purshotam College of Education.**

Sir/Madam,

I am to say that the recognition granted to Maryada Purushotam College of Education, Plot No. 1245,1246,1247,1248Village/Post- Village/Post- Chilhari, Tehsil/Taluka- Dumraon, Town /City- Buxur, Distt- Buxur, Bihar-802101for B.Ed course was withdrawn by ERC vide order No. ER-301.4/ERCAPP7/2012/B.Ed/BR/2022/64961/966 dated 28.01.2022.

2. The institution had filed a Writ Petition No. 10756/2022 before the Hon'ble High Court of Delhi against the Withdrawal Order dated 28.01.2022 passed by ERC. The Hon'ble High Court passed an Order dated 18.07.2022 with the direction that the Withdrawal Order dated 28.01.2022 will come into force only from the end of academic session 2022-2023.

3. In compliance of above Hon'ble High Court Order dated 18.07.2022, it is clarified that the withdrawal order issued by ERC vide No. ER-301.4/ERCAPP7/2012 /B.Ed/BR/2022 /64961/ 966 dated 28.01.2022 to Maryada Purushotam College of Education, Plot No. 1245,1246,1247,1248Village/Post- Village/Post- Chilhari Tehsil/ Taluka- Dumraon, Town / city- Buxur, Distt- Buxur Bihar-802101 for B.Ed course will come into force only from the end the academic session 2022-2023 and institute is entitled to participate in the counselling for the academic session 2022-2023.

Yours faithfully,

(Ravindra Singh)

Regional Director

Copy to:-

1. The Commissioner-cum-Secretary, Primary, Secondary & Higher Education, Govt. of Bihar, New Secretariat, VikasBhawan, Patna, Bihar - 800015.
2. The Registrar , Babasahab Bhimrao Ambedkar Bihar University, Muzaffarpur, Bihar- 842001.
3. IT consultant, ERC, for uploading this letter on NCTE/ERC website.

G-7, Sector-10, Dwarka, New Delhi - 110075

Phone : +91-11-20893265, 43152358

Email : erc@ncte-india.org | Website : www.ncte.gov.in

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10756/2022 & CM APPL. 31255/2022 (*for stay*)**

MARYADA PURUSHOTAM COLLEGE OF EDUCATION

..... Petitioner

Through: Mr. Mayank Manish and Mr. Ravi
Kant, Advocates.

versus

**NATIONAL COUNCIL FOR TEACHER
EDUCATION & ANR.**

..... Respondents

Through: Ms. Aakanksha Kaul, Mr. Manek
Singh and Mr. Aman Sahani,
Advocates.

**CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA**

**ORDER
18.07.2022**

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1. *Vide* order dated 08th March, 2022 in an earlier round of litigation at the instance of the Petitioner-institute [W.P.(C) 588/2021], this Court had set aside the orders of Eastern Regional Committee of NCTE [*hereinafter* “**ERC**”] dated 07th October, 2020 as well as Appellate Committee dated 21st December, 2020, and remanded the matter back to ERC for fresh consideration of Petitioner-Institute’s application.

2. In terms of the aforementioned directions, ERC was presented with a fresh request for recognition by Petitioner-institute, which was rejected *vide* order dated 28th January, 2022 [*hereinafter*, “**withdrawal order**”], and the same has been upheld by the Appellate Committee *vide* order dated 26th May,

2022.

3. Mr. Mayank Manish, counsel for Petitioner-institute, contends that firstly, no show-cause notice was given to Petitioner-institute by the Appellate Committee before disposing the appeal, and secondly, the impugned withdrawal order has been passed on grounds that were not raised in the original show cause notice issued by the ERC. The order dated 26th May, 2022 affirming the withdrawal order is therefore, arbitrary and erroneous and liable to be set aside.

4. Issue notice to Respondents. Ms. Aakanksha Kaul, Advocate, accepts notice on behalf of the Respondents.

5. Ms. Kaul controverts the above submission and submits that nevertheless, she would file a counter affidavit. Let the same be done within a period of three weeks from today. Rejoinder thereto, if any, be filed within a period of two weeks thereafter.

6. As the withdrawal order had been passed on 28th January, 2022, in terms of Section 17 of National Council for Teacher Education Act, 1993, the effect thereof will be from the end of academic session 2022-23. In light thereof, Petitioner-institute would be entitled to participate in the counselling for the academic session 2022-23. ERC is directed to reflect the status of the Petitioner-institute on its official website as a recognized institution for running the B.Ed. course and communicate the said recognized status to its affiliating university and the State Department of higher education for the purpose of participation in the counselling & admission process underway for the academic session 2022-23.

7. Re-notify on 06th September, 2022.
8. It is noticed that the case title in the cause list does not match with the memo of parties. Accordingly, the Registry is directed to correct the same.

SANJEEV NARULA, J

JULY 18, 2022

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