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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 3686/2026 & CM APPL. 17965/2026**
SHARMA MODERN MAHILA SHIKSHAK PRASHIKSHAN
MAHAVIDYALAYA & ANR.Petitioners

Through: Mr. Amitesh Kumar, Ms. Priti Kumari, Mr. Pankay Kumar Ray, Advs.

versus

NATIONAL COUNCIL FOR TEACHER EDUCATION & ANR.Respondents
Through: Mr. Anuj Kapoor, Mr. Shivom Sethi, Mr. Nandeesh Nanda, Advs.

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

% **ORDER**
23.03.2026

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

“i. issue a writ of certiorari or any other suitable writ or order quashing the refusal order dated 14.11.2025 issued by Western Regional Committee (WRC) of NCTE; and/or
ii. issue a writ of mandamus or any other suitable writ or order directing Respondents to process application for conversion of existing recognition of B.A.B.Ed/B.Sc.B.Ed to Integrated Teacher Education Programme (ITEP) with consequential direction to issue conversion recognition



order of ITEP course; and/or

iii. issue a writ of mandamus or any other suitable writ or order or direction to respondents to display the name of petitioner institution in the list/category of recognised institutions for conducting ITEP program on their website and to inform affiliating University as well as Department of Higher Education, Government of Rajasthan enabling participation in the counselling & admission process for the academic year 2026-27 and subsequent years; and/or...”

2. For the reasons stated in the petition, issue notice to the respondents.
3. Mr. Kapoor, learned counsel accepts notice on behalf of the respondents.
4. This order is being passed in view of a similar order dated 24.12.2025 passed in W.P.(C) 19758/2025, covering the present issue. Based upon the said order and using the same reasons and expressions, this order is being passed.
5. The challenge in the present writ petition is directed against the order dated 14.11.2025 passed by the Western Regional Committee, whereby the petitioners' application dated 05.03.2024 seeking transition of the existing B.A. B.Ed./B.Sc. B.Ed. programme to the Integrated Teacher Education Programme (***“I.T.E.P.”***) for the academic session 2026-27 was declined under Sections 14/15(3)(b) of the National Council for Teacher Education Act, 1993 (***“NCTE Act”***).
6. Mr. Kumar, learned counsel for the petitioners, submits that the impugned decision has been rendered in breach of the mandatory procedure prescribed under the proviso to Section 14(3)(b) of the



NCTE Act, which obligates the Regional Committee to afford a reasonable opportunity to the institution to make a written representation prior to refusal of recognition. It is further stated that the petitioners would be satisfied if a direction is issued to the respondents to grant such opportunity by issuance of a show cause notice.

7. Per contra, learned counsel for the respondents states that the petition is not maintainable as the impugned order does not state “refusal” of recognition. An application which is incomplete or not accompanied by requisite documents is liable to be rejected summarily under Regulation 7(1) and (2) of the National Council of Teacher Education (Recognition Norms and Procedure) Regulations, 2014, whereas refusal of recognition under Regulation 7(3) is attracted only in cases involving furnishing of false information or concealment of material facts having a bearing on the decision-making process. It is argued that the impugned order dated 14.11.2025 only notes deficiencies in the Petitioners’ application, including failure to establish that it is a multidisciplinary institution and failure to apply under the merger/collaboration category as per NCTE guidelines. The decision, therefore, constitutes a rejection and not a refusal, obviating the requirement of granting an opportunity of written representation under Section 14(3)(b) of the NCTE Act.
8. I have heard the learned counsels for the parties.
9. The submissions advanced on behalf of the respondents cannot be accepted. A bare perusal of the impugned order dated 14.11.2025 shows that the decision is founded on alleged deficiencies and shortcomings attributed to the petitioners. Significantly, the order



expressly invokes Sections 14/15(3)(b) and Section 17(4) of the NCTE Act and records a denial of transition to the I.T.E.P. course. Once such deficiencies form the basis of denial, the respondents cannot be heard to contend that no opportunity was required to be afforded to the petitioners to explain or remedy the same. It is well settled that any administrative decision entailing civil consequences must conform to the principles of natural justice.

10. The impugned order does not disclose compliance with the proviso to Section 14(3)(b) of the NCTE Act, which mandates that before recognition is refused, the concerned institution must be given a reasonable opportunity to make a written representation. Denial of transition from an existing recognised course attracts this requirement. The absence of such opportunity renders the impugned decision unsustainable in law.
11. The attempted distinction drawn by the respondents between “rejection” and “refusal” under Regulation 7 of the Regulations, 2014 is of no assistance. Regulation 7 prescribes the procedure for processing applications: Regulation 7(1) provides for rejection of incomplete applications, Regulation 7(2) enumerates cases of summary rejection, while Regulation 7(3) contemplates refusal where false information or concealment of facts is involved. The present case may fall under Regulation 7(1) and not Regulation 7(3); however, this procedural distinction is irrelevant for the purposes of Section 14(3)(b) of the NCTE Act.
12. The proviso to Section 14(3)(b) mandates that before refusing recognition, the Regional Committee must afford the institution a



reasonable opportunity to make a written representation. This requirement equally applies where a recognised institution seeks transition to new courses. Clause (b) is attracted when the institution is found not to satisfy the requirements under Clause (a), including adequacy of infrastructure, finances, and staff. The expression “refusing” in Section 14(3)(b) cannot be equated with “refusal” in Regulation 7(3). Accordingly, the contention that no opportunity of representation was required is wholly misconceived and is rejected.

13. The reliance placed by the respondents on Clauses 6(iii) and 12 of the Public Notice dated 12.09.2025 as the source of power to summarily reject the application is equally untenable. An executive order or circular cannot override or operate in derogation of a statutory provision. Where the statute expressly mandates compliance with principles of natural justice, any executive order or circular to the contrary must yield to the statute.
14. In view of the above, without examining the merits of the deficiencies noted in the impugned order, the writ petition is allowed to the limited extent of setting aside the order dated 14.11.2025 on the ground of violation of principles of natural justice. The respondents are at liberty to issue a show cause notice to the petitioners specifying the alleged deficiencies and affording them an opportunity to submit a written representation. Upon receipt thereof, the petitioners shall file their response within a period of two weeks. Thereafter, the respondents shall pass a reasoned order in accordance with law within two weeks and communicate the same to the petitioners. It is clarified that the petitioners shall remain at liberty to avail appropriate legal remedies, if



aggrieved by the decision so rendered.

15. This Court has not expressed any opinion on the merits of the case.
16. The present writ petition is disposed of along with pending applications, if any.

JASMEET SINGH, J

MARCH 23, 2026/sp