

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8810 of 2016

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Brahmha Mistry son of Sudama Mistry Resident of Village - Patedha, P.O. - Balhu,
P.S. - Darauli, District - Siwan.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Labour, Employment and Training Department, Government of Bihar, Patna.
2. The Director, Labour, Employment and Training Department, Government of Bihar, Patna.
3. The Examination Controller, Employment and Training Department, I.T.I. Campus, Digha Ghat, Patna, Bihar.
4. The National Council for Vocational Training Directorate, Labour, Employment and Training Department, Government of India, Rafi Marg, New Delhi.
5. The Principal, Mukul Industrial Training Centre, Mirganj, District - Gopalganj, Bihar.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Udit Narayan Singh, Advocate
For U.O.I.	:	Mr. Awadesh Kumar Pandey, SCGC
		Mr. Ravinder Kumar Sharma, CGC
For the State	:	Mr. Madhukar Mishra, A.C. to S.C.16

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 19-11-2016

Petitioner has filed this writ application because he had not been awarded his final certificate despite completion and passing of All India Trade Test Examination relating to the session 1994-1996.

2. From the pleadings and evidence including the enquiry report furnished by the Principal Secretary, Labour and Training, Government of Bihar, it is evident that there were many institutions prior to the year 2000 who had granted admission to students over and above the sanctioned strength. The problem basically lies with those students and petitioner seems to be one of them. In addition to that, it is also pleaded that

it is the responsibility of the State agency to upload the entire data and details of such candidates on the website of NCVT and thereafter due process is followed and the certificates are issued.

3. The Court is not required to go behind the dispute now especially when such incidents happened more than a decade or two back. In addition to that, there have been directives issued by the various Benches of this Court to issue the final certificate now keeping in mind that the students in question had already completed the course and passed the examination as well. Many orders have also been annexed in the counter affidavit of the Principal Secretary, Department of Labour and Training, Government of Bihar.

4. In view of the above, the writ application is allowed. The State authorities will forward the necessary information to the Secretary, NCVT, New Delhi and the Secretary, NCVT, New Delhi would be obliged to issue the certificate to the petitioner within a period of eight weeks of such receipt.

(Ajay Kumar Tripathi, J.)

S.Kumar/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	21.11.2016
Transmission Date	