

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8809 of 2016

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Tuhin Bakshi son of Sri Gopeshwar Bakshi resident of Ward No. 12, Hospital Road, Vivekanand Pally, P.O. - Gushkara, P.S. - Ausgram, District - Wardwan, West Bengal, PIN - 713128.

.... Petitioner

Versus

1. The Union of India through the Director, National Counsel for Vocational Training, Skill Development Department, Shram Shakti Bhawan, Rafi Marg, New Delhi - 110011.
2. The Director , National Counsel for Vocational Training, Skill Development Department, Shram Shakti Bhawan, Rafi Marg, New Delhi - 110011.
3. The Director, State Council for Vocational Training/Head of D.G.E. Training Institute, Department of Labour, Government of Bihar, Patna - 800001.
4. The Examination Controller of the State Council for Vocational Training, I.T.I. Campus, Digha, Patna, Department of Labour Resources, Government of Bihar, Patna - 800024.
5. The Principal, Industrial Training Institute (I.T.I.), Gaya - 823001.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Satish Chandra Mishra, Advocate
For U.O.I.	:	Mr. Awadhesh Pandey, Advocate
		Mr. Ravinder Kumar Sharma, CGC
For the State	:	Mr. Sarvesh Kumar Singh, AAG13
		Mr. Tej Pratap Singh, AC to AAG13

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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 1993-1995.

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	