

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4962 of 2016

Sujit Kumar Sinha, Son of Sri Narad Prasad Ram, Resident of Village Harishpur,
P.O. Sadipur, P.S. Pirpanti, District Bhagalpur.

.... Petitioner

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Labour, Employment & Training, Bihar, Patna.
3. The Secretary, National Council for Vocational Training, New Delhi.
4. The Secretary, State Council for Vocational Training, Bihar, Patna.
5. The Director, At Sahba Industrial Training Institute, Alam Tola, Forbesganj (Araria).

.... Respondents

Appearance :

For the Petitioner	:	Mr. Krishna Murari Prasad, Advocate
For Union of India	:	Mr. Awadhesh Kumar Pandey, S.C.G.C. Mr. Ravinder Kumar Sharma, C.G.C.
For the State	:	Mr. D.K. Prasad, G.P.14 Md. Faiz Ahmad, A.C. to G.P.14

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 25-10-2016

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 August, 1996 to July, 1998.

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	26.10.2016
Transmission Date	