

\$~34.

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ LPA 469/2017

GORAKHPUR NATIONAL PRIVATE ITI Appellant

Through: Mr. Sanjay Sharawat, Advocate

versus

DIRECTORATE GENERAL OF TRAINING Respondent

Through: Mr. C.M. Goyal, Advocate

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

14.07.2017

%

CM APPL. 24387/2017

Exemption allowed, subject to all just exceptions. The application stands disposed of.

LPA469/2017 and CM APPL. 24385-86/2017

Issue notice. Learned counsel for the respondent accepts notice. The matter has been heard on both sides. Learned counsel for the appellant gives up the challenge to the manner in which the show-cause notice for the violation has been issued by the respondent on 21.06.2017. Mr. Sahrawat submits that the appellants shall reply to and deal with the show-cause notice at the appropriate forum.

The remaining grievance of the appellant is that in the light of the circular issued by the respondent dated 21.06.2017, since a show-cause notice has been issued to the appellant, the appellant is debarred from carrying out the preliminary admission process, and accept fee and grant

admission from the candidates for the ensuing session 2017-18. He submits that the finalisation of the show-cause notice may take some time and, in the meantime, the appellant should not be restrained from accepting fee and granting admission to the candidates.

Learned counsel for the respondent has tendered in court a circular issued by the respondent on 13.07.2017 which clarifies the position with regard to circular of 21.06.2017. This circular is taken on record. This circular clarifies *“that admissions would be affected only in case of those ITIs whose reports have been examined and finally found that they are not following the specified NCVT norms. The cases of such ITI’s will be further forwarded to Sub Committee of NCVT before 30th July, 2017 for initiating further action as per NCVT norms. For remaining institutions, this restriction will not be applicable”*. (emphasis supplied)

Learned counsel for the respondent submits that since a show-cause notice issued to the appellant has not yet been finalised till date, there is no final finding returned with regard to the appellant not following the specified NCVT norms. Consequently, the appellant is not prohibited from granting admission to students from 01.08.2017 as per schedule.

The appellant is satisfied with the aforesaid statement.

The appeal is, accordingly, disposed of in the aforesaid terms.

VIPIN SANGHI, J

REKHA PALLI, J

JULY 14, 2017