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

+ LPA 468/2017

SAMRAT ASHOK 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

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CM APPL. 24383/2017

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

LPA 468/2017 & CM APPL. 24382/2017

It appears that under the present dispensation, List of Dates is not required to be filed in a Letters Patent Appeal. The absence of a List of Dates in the appeal leads to consumption of excessive time of the Court in reading the file. The Registry is directed to, therefore, issue an appropriate order requiring filing of List of Dates even in Letters Patent Appeal henceforth.

It is also seen that in several Letters Patent Appeal, the index merely describes the writ petition with its annexures, as an annexure, without containing a detailed index giving the particulars in respect of each of the

annexures filed with the appeal/ writ petition. The same makes it difficult for the Court to readily locate the relevant documents on record. The Registry should henceforth ensure that a detailed index is filed containing particulars in respect of each of the annexures.

Issue notice. Counsel for the respondent accepts notice. The matter has been heard on both sides.

The primary grievance of the appellant is that merely because an inspection was conducted of the appellant's institution on 24.05.2017, which has till date not been followed up by show cause notice, the appellant cannot be denied the right to admit students.

Mr. Sharawat submits that the schedule for conduct of admission process for the year 2017-18 is fixed between 01.07.2017 and 15.08.2017. By the circular dated 21.06.2017 issued by the respondent Directorate General of Training, the institutions like the appellants have been permitted to carry out preliminary admission process upto end of July 2017, and from 01.08.2017, the deposit and acceptance of admission fee is permitted.

Mr. Sharawat submits that the said circular also provides:

“In addition to above, such ITI(s) which have been issued show causes notices, and wherein scrutiny/Inspection are being under taken; shall not be allowed to admit trainees for the ensuing session till the final outcome of these inspections/show cause notices.”

Mr. Sharawat submits that the aforesaid instruction has placed the appellants institution in a precarious situation. No show-cause notice has been issued even though the inspection was conducted on 24.05.2017. He submits that the respondent would not be justified in not permitting the

petitioner to admit students for the ensuing year 2017-18.

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 the appellant has not been issued a show cause notice yet, the question of there being a final finding with regard to the appellant not following the specified NCVT norms, does not arise. Thus, 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

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