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

+ **W.P.(C) 6352/2017**

KEDARNATH JAGANNATH PRIVATE ITI

..... Petitioner

Through Mr. Sanjay Sharawat, Adv.

versus

DIRECTORATE GENERAL OF TRAINING & ANR

..... Respondents

Through Mr. C.M. Goyal, Adv for R-1.

Mr. Sagar Shivam for Mr. Vikas
Chopra, Adv for R-2.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **26.07.2017**

The petitioner is aggrieved by the decision of respondent No.2 dated 08.07.2017 vide which the application of the petitioner seeking affiliation stood rejected.

Record shows that a site visit of the petitioner's Institute was carried out by respondent No.2 on 30.06.2017. On 04.07.2017, 375 Non-Conformities (NCs) were raised upon the petitioner. Contention of the petitioner is that to prepare and upload each NC, a minimum of 10 minutes would be required and keeping that amount of time for a total number of 375 NCs, 3750 minutes would be required; only a 3 days period had been granted by respondent No.2 which is on the lower side as 3 days would culminate into 4320 minutes only. This was the reason by only 370-372 NCs could be uploaded by the petitioner and not 375 NCs. His case should be reconsidered.

On advance notice, counsel for the respondents have put in appearance. Learned counsel for respondent No.2 points out that his instructions are that 370-372 NCs were not uploaded as is the contention of the petitioner. He has instructions to state that there were 20 NCs which were yet to be uploaded meaning thereby only about 355 NCs were uploaded. That apart his additional submission is that the documents which were staff qualification documents had not been procured by the petitioner and that is why his documents being incomplete, he could complete the task. His further submission is that the contention of the petitioner that 10 minutes is required for uploading for each NC is not correct. It was for the petitioner to have got all the documents prepared in advance and be ready with the documents; the clicking of a button on a computer would not have taken 10 minutes.

This Court notes these submissions and counter submissions of the parties. This Court also notes that the petitioner had initially applied for affiliation on 15.03.2015 i.e. for the last academic session. He knew that all the documents which are required to be prepared and submitted for the purpose of affiliation should be ready. He should have prepared his case well in advance. That apart a period of 3 days which has been granted by respondent No.2 to the petitioner has given across the board to all the Institutes. It is not the case of respondent No.2 that the petitioner has been discriminated upon. Contention of the petitioner that in the case of Shiv Shakti Private Industrial Training Institute, a period of six days was granted is a misconceived submission. Documents placed on record do not substantiate this

submission. Admitted position as on date is that out of 375 NCs which were raised upon the petitioner, all were not complete. Whether they were 355 NCs which have been uploaded (as per the contention of respondent No.2) or 370-372 NCs (as per the contention of the petitioner), there still remained balance NCs which were not cleared and thus the mandate of respondent No.2 that all the NCs have to be cleared within the time period given to the petitioner was not done. Respondent No.2 was well within its domain and authority to reject the case of the petitioner.

Petition is without any merit. Dismissed.

INDERMEET KAUR, J

JULY 26, 2017

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