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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 6598/2017**
SBS PRIVATE ITI

..... Petitioner

Through Mr. Sanjay Sharawat, Adv.

versus

DIRECTORATE GENERAL OF TRAINING AND ANR

..... Respondents

Through Mr. C.M. Goyal along with Ms.
Meghna Rohatgi, Advs for R-1.
Mr. Sagar Shivam, Adv for R-2.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **02.08.2017**

The petitioner is aggrieved by the letter of rejection dated 26.07.2017 wherein his application seeking accreditation stood rejected.

Averments in the petition disclose that the Institute of the petitioner was inspected by respondent No. 2 on 18.07.2017. 30 Non-Conformities (NCs) were raised by respondent No. 2 on 22.07.2017 which had to be completed and answered by the petitioner on or before 25.07.2017. Contention of the petitioner is that the answers of these NCs were uploaded by the petitioner on 25.07.2017. He however could not press the “submit ”button which was due to inadvertence and the portal of respondent No. 2 was closed. The petitioner was under the bonafide impression that he had duly finished his task. In fact the computer screen shot reflected that his reply had been submitted successfully and his documents had been uploaded

successfully. He was shocked to know that his application stood rejected on 26.07.2017 for his not having uploaded the documents. His submission is that the documents already having been uploaded at the site of respondent No. 2 and the only inadvertence on the part of the petitioner being that he could not press the “submit” button does not make out a case for a rejection straightaway.

On advance notice learned counsel for the respondents have put in appearance. Learned counsel for respondent No. 2 submits that there is no criteria with respondent No. 2 which permits any reconsideration on sympathetic grounds.

This Court notes that in W.P. (C) No.6259/2017 Aadishakti Private ITI Vs. Directorate General of Training and Anr decided on 24.07.2017 a similar issue had arisen. The Court had allowed the prayer made in that petition which was based on similar parameters. Accordingly, this Court is of the view that in the present case also, the petitioner is permitted to appear before the Competent Authority within a period of 3 days where he will be granted an opportunity to press the ‘submit’ button in order that the documents which have already been uploaded by the petitioner can be accessed by respondent No. 2; the same shall then be processed in accordance with law.

Petition disposed of in the above terms.

Order be given dasti under signatures of the Court Master.

INDERMEET KAUR, J

AUGUST 02, 2017

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