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

\+ W.P.(C) 6701/2017

JAI SAMADHI BABA PRIVATE ITI

..... Petitioner

Through Mr. Sanjay Sharawat, Adv.

versus

DIRECTORATE GENERAL OF TRAINING & ANR

..... Respondents

Through Ms. Meera Bhatia, Adv for R-1.
Mr. Sagar Shivam for Mr. Vikas Chopra, Adv for R-2.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

O R D E R

% 04.08.2017

The petitioner is aggrieved by the letter of rejection dated 27.07.2017 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 22.07.2017. 145 Non-Conformities (NCs) were raised by respondent No. 2 on 23.07.2017 which had to be completed and answered by the petitioner on or before 26.07.2017. Contention of the petitioner is that out of 145 NCs, 42 NCs were uploaded by the petitioner. The answers of remaining 103 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. He was shocked to know that his application stood rejected on 27.07.2017 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 since the parties agree that there are holidays in this intervening period, the petitioner is permitted to appear before respondent No.2 up to 10.08.2017 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 and also to complete technical formality of filling in the 'comments' in the requisite column.

Petition disposed of in the above terms.

Order be given dasti under signatures of the Court Master.

INDERMEET KAUR, J

AUGUST 04, 2017
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