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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **W.P.(C) 6851/2017**  
**MAA GAJANAN PRIVATE ITI**

..... Petitioner

Through Mr. Murari Tiwari and Mr. Shiv  
Shankar, Advs.

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

**CORAM:**

**HON'BLE MS. JUSTICE INDERMEET KAUR**

**ORDER**

% **09.08.2017**

Petitioner is aggrieved by the action/inaction on the part of respondent No.2. His submission is that respondent No.2 had conducted inspection of the petitioner's institution on 25.06.2017. This was duly intimated to the petitioner in advance. 15 Non-Conformities (NCs) were noted by respondent No.2 on 26.06.2017 which were to be cleared by the petitioner by 29.06.2017. Contention of the petitioner is that the answers of these NCs were uploaded by the petitioner on 29.06.2017. On 07.07.2017, respondent No. 2 again uploaded 6 NCs and asked the petitioner to clear them by 10.07.2017. The contention of the petitioner is that the following two days i.e. 08.07.2017 being a Saturday and 09.07.2017 being Sunday, there was no governmental work being carried out. His submission is that it was only on 11.07.2017 when he tried to upload all the documents the

portal of respondent No. 2 was found closed. His further submission is that he then sent all these documents through e-mail to the help desk of respondent No. 2.

On advance notice, learned counsel for the respondents have put in appearance. Facts are not in dispute. It is not in dispute that the NCs were raised twice over. The second time when the NCs were raised on 07.07.2017, it was pursuant to the report given by the Assessment Team of respondent No. 2 had also inspected the Institute of the petitioner on 25.06.2017 and wherein they had finally raised 15 NCs which were successfully uploaded by the petitioner admittedly on 29.06.2017. Learned counsel for respondent No. 2 points out that pursuant to the report of the Assessment Team, 6 more NCs were again uploaded on the portal of respondent No. 2 qua the status of the petitioner which had to be completed by the petitioner within a period of 3 days i.e. up to 10.07.2017. Submission is that there is a delay of one day and this is a clear case where the petitioner has not been able to upload the NCs within the 3 days period.

On this count, learned counsel for the petitioner points out that since the portal of respondent No. 2 was closed on 10.07.2017 but the petitioner was able to procure his answers to all the aforementioned 6 NCs by 11.07.2017; he had sent the answers to all these 6 NCs through his e-mail at the help desk of respondent No. 2. Contention is that no other documents but the documents which had been sent through the e-mail generated at the help desk of respondent No. 2 on 11.07.2017 may alone be looked into for the said purpose.

This Court is accordingly of the view that this being a case of a

one day delay and 08.07.2017 and 09.07.2017 being non-working days in all Government departments, this period of one day's is condoned and all the documents qua the aforementioned 6 NCs and their comments thereof which had been sent by e-mail by the petitioner on 11.07.2016 at the help desk of respondent No. 2 will alone be considered by respondent No. 2 for the purpose of grant/non-grant of accreditation to the petitioner. Respondent No.2 will intimate the petitioner about the re-opening of the portal qua the petitioner and all decisions taken thereof within 2 weeks from today.

Petition disposed of in the above terms.

Order dasti under signatures of the Court Master.

**INDERMEET KAUR, J**

**AUGUST 09, 2017**

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