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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 7206/2017**
MAA MOHANI MANSA DEVI PRIVATE ITI

..... Petitioner

Through Mr.Murari Kumar, Advocate.

versus

DIRECTORATE GENERAL OF TRAINING (DGT) & ANR

..... Respondent

Through Mr.C.M.Goyal and Ms.Meghna
Rohatgi, Advocates for R-1.
Mr.Sagar Shivam for Mr. Vikas
Chopra, Advocate for QCI/R-2.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **21.08.2017**

Petitioner is aggrieved by the rejection letter dated 13.07.2017 vide which the application seeking accreditation had been rejected by respondent No.2. Record shows that the institute of the petitioner had been inspected on 27.06.2017. Nine NCs were raised by respondent No. 2 and these NCs were to be cured within three days. The answer to the NCs were successfully uploaded by the petitioner within the due date. On 13.07.2017 his application was rejected. It was rejected on three grounds. These grounds reads as under:-

“a. The Self Declaration regarding BCC uploaded is not as per the prescribed format provided on the online portal and also the content is not relevant.

b. The Letter from Competent Authority does not bear any File/Reference Number.

c. The status of NC of DG set is still unchanged. The exhaust system is not as per requirement. The exhaust pipe must go through the wall so that the smoke does not re-enter the room.”

On advance notice, learned counsel for respondent No. 1 as also counsel for respondent No. 2 has put in appearance. Submission of respondent No. 2 is that the letter of rejection suffers from no infirmity. The petitioner has not approached this court with clean hands. It is pointed out that the first objection i.e., the Self Declaration regarding BCC uploaded is not as per the prescribed format and is the most relevant objection. It is pointed out that the document which had been uploaded by the petitioner was a certificate from the Office of Directorate Town Planning. This document had a date of 26.06.2017. It was not on a letter head. It was on a plain piece of paper.

This factual stand of respondent No. 2 is correct and is not disputed by the petitioner. The petitioner, before this court, has now placed on record a document (page 50 of the paper book) which is on a letter head; being on the letter head of “Karyalaya Tehsildar Govardhan, Mathura” it also has a date i.e. date of 14.07.2017. The index of the petition shows that this self declaration related BCC document is a part of Annexure P-5(colly). This document as noted above is not only on a letter head but it also has a date and a reference number. The document which had been uploaded by the petitioner (pursuant to the objection raised by respondent No. 2) is a document having a date of 26.06.2017; it was not on a letter head; it did not have a reference number. Thus there is a clear discrepancy between

the aforementioned two documents. The document now relied upon by the petitioner (part of annexure P-5) had not been uploaded on the site of respondent No. 2.

This being the admitted position, it is clear case where the petitioner has not approached this court with clean hands. The document uploaded by the petitioner to cure his NCs is different from the document now relied upon by the petitioner.

In this backdrop, the impugned order suffers from no infirmity. Petitioner having approached this court with unclean hands, petition is dismissed with costs quantified at Rs. 20,000/-.

INDERMEET KAUR, J

AUGUST 21, 2017
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