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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 7335/2017**
PT BHAGWATI PRASAD PRIVATE ITI

..... Petitioner

Through Mr.Sanjay Sharawat, Advocate.

versus

DIRECTORATE GENERAL OF TRAINING AND ANR

..... Respondent

Through Mr.C.M.Goyal, Advocate for R-1.
Mr.Sagar Shivam for Mr.Vikas
Chopra, Advocate for R-2.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **23.08.2017**

Petitioner is aggrieved by the letter of rejection issued to him by respondent no.2 wherein his application seeking accreditation had been declined.

Record shows that the institute of the petitioner had been inspected on 15.7.2017. 42 NCs were raised on 20.7.2017. On 23.7.2017 petitioner uploaded the response to each NCs. The application of the petitioner was rejected on 03.8.2017. This was on two grounds; they read as under:

“1.The uploaded electricity bill report which is submitted as an address proof is not acceptable as on verification of the same it was found that is neither on the name of ITI nor authorized person. Thus the ITI Address cannot be verified by the

provided electricity bill.

2. During the online verification of Electricity bill it was found that the connection is on the name of Pt.Bhagwati and connected load is 10KVA. But in the reply of NC the Electricity Bill was tampered and edited electricity bill on the name of Pt.Bhagwati Prasad Private ITI and connected load 10KW was provided. Thus the electricity bill cannot be verified.”

Learned counsel for petitioner points out that the objection qua the first NC is answered by the document which had admittedly been uploaded and is dated 08.7.2016 (Page 48 of the paper book). This gives the complete name of the consumer i.e. the name of petitioner institute. Qua the second objection, it is pointed out that the documents at page-49 and page 50 both of which are dated 10.7.2017 answer the query of the Department. It is stated that although the first electricity bill uploaded by the petitioner had a discrepancy and the name of the consumer was mentioned as Pandit Bhagwati but on a clarification being sought by the petitioner it was clarified that the document at page 50 shows that the name of the consumer as Pandit Bhagwati Prasad Niji Aadyogik Prasikchad Sansthan having the correct address. This answers both the queries. The impugned order is liable to be set aside.

On advance notice, learned counsel for respondent has put in appearance. Learned counsel for respondent no.2 qua the second NC points out that there is a clear discrepancy in the name of the consumer between documents at pages 49 and 50 of the paper book. Submission of the learned counsel for petitioner is that a clarification

had been obtained on document at page 49; it was clarified that the name mentioned in page 50 (of the paper book) is correct. It has been highlighted that both the documents are dated 10.7.2017 and signed by the Executive Engineer of the Electricity Division. A specific query has been put to the learned counsel for petitioner on this score that how a clarification could have been obtained on the same date qua the document at page 49 but he has now answer. Second submission is that the document at page 49 i.e. an electricity bill-cum-disconnection notice admittedly read the name of consumer as Pandit Bhagwati alone but address was not mentioned. This document reflects the date as 10.7.2017. The document at page 50 which is again an electricity cum disconnection notice for the same period for 29.6.2017 to 03.7.2017 has a different consumer name with the complete address and bears the same date. Submission of the petitioner that a clarification had been sought by the petitioner from the electricity Department on 20.7.2017 clearly appears to be a false submission. If this clarification had been sought for the document at page 49 on 20.7.2017 how a clarified document again bears an ante date i.e. date of 10.7.2017 is not explained. There is a clear doubt on the authenticity and veracity of the aforementioned document.

Learned counsel for respondent additionally points out that the document at page 52 which is an electricity bill cum disconnection notice for the period from 03.7.2017 to 18.8.2017 has a load of 12.50 KVA whereas the earlier documents (page 49 and page 50) have a KVA of 10.00 KVA. This again throws a doubt on the authenticity and veracity of the document filed by the petitioner. Noting all these

submissions, the rejection order rejecting the case of the petitioner on the aforementioned two grounds suffers from no infirmity.

Petition is without any merit. It is dismissed.

INDERMEET KAUR, J

AUGUST 23, 2017
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