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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of decision: 13th March, 2019

CM APPL. 42530/2018 in

+ W.P.(C) 10906/2018

GURUKUL PRIVATE ITI Petitioner

Through: Mr. M. C. Dhindra, Mr.
Diwakar Sinha and Mr. Rishi Kumar, Advs.

versus

UNION OF INDIA AND ORS. Respondents

Through: Mr. Manish Mohan, CGSC for
R-1 to 3 with Ms. Manisha Saroha, Adv.

Mr. Samir Ali Khan and Mr. Shreshth Arya,
Adv. State of Bihar

CM APPL. 42532/2018 in

+ W.P.(C) 10907/2018

SAI PVT. ITI Petitioner

Through: Mr. M. C. Dhindra, Mr.
Diwakar Sinha and Mr. Rishi Kumar, Advs.

versus

UNION OF INDIA AND ORS. Respondents

Through: Mr. Manish Mohan, CGSC for
R-1 to 3 with Ms. Manisha Saroha, Adv.

Mr. Samir Ali Khan and Mr. Shreshth Arya,
Adv. State of Bihar

+ W.P.(C) 10905/2018

VISHAL PRIVATE ITI

..... Petitioner

Through: Mr. M. C. Dhindra, Mr.
Diwakar Sinha and Mr. Rishi Kumar, Advs.

versus

THE UNION OF INDIA & ORS

..... Respondents

Through: Mr. Manish Mohan, CGSC for
R-1 to 3 with Ms. Manisha Saroha, Adv.

Mr. Samir Ali Khan and Mr. Shreshth Arya,
Adv. State of Bihar

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER (ORAL)

13.03.2019

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1. These writ petitions challenge a communication, dated 16th/22nd June, 2017, addressed by the Directorate General of Training to the Director, Directorate of Employment and Training, Patna, whereby the petitioners' institutes stand de-affiliated w.e.f. August, 2017. The said decision has been taken on the basis of the recommendation of a joint inspection committee report.

2. Prior to the passing of the impugned order, the petitioners have been visited with a show cause notice, dated 27th January, 2017. The impugned order was passed consequent to the reply given by the petitioners, to the show cause notice.

3. Ms. Manisha Saroha, learned counsel for Respondent Nos. 1 to

3, submits, today, that the entire aspect is being reconsidered by higher authorities. She has handed over, across the bar, an email communication, addressed by Mr. Praveen Kumar (Junior Technical Assistant) in the office of the Joint Director, Directorate General of Training. The said communication reads thus:

“Sir,

I am directed to forward the following facts/instructions for your kind perusal and to argue the matters on behalf of UOI please:

**INSTRUCTIONS FOR THE COUNSEL WITH
RESPECT TO WP NO. 10905, 10906 AND
10907/2018**

The cases of the Petitioner ITIs are being examined by Higher Authorities at this Directorate General (DGT). The reply to the Show Cause Notices forwarded by the Petitioners would be re-considered and a fresh inspection, if required, would be carried out at the earliest with prior intimation to the Petitioner institutes. Further, until the final decision is taken by the Higher Authority under DGT, the order dated 22.06.2017 will not be acted upon i.r.o. petitioner institutes.

Further, as de-affiliation order dated 22.06.2017 was stated to have not been communicated to the Petitioner Institutes and the NCVT MIS Portal was still active in respect of Petitioner institutes, the students already admitted by the petitioner institutes till 05.10.2018 for the session 2018-19 are entitled to appear in AITT exams subject to fulfilment of other criteria, as per norms.

In compliance to the interim directions passed by this Hon'ble Court on 31.01.2019 we have already requested the State Directorate of Bihar vide email dated 07.02.2019 and 14.02.2019 to upload the details of the admitted trainees on the NCVT MIS Portal without any further delay.

Regards
Parveen Kumar
Jr. Tech. Asst.
TC Section, Room No.105 1st Floor,
CIRCUS Building, IARI Campus, Pusa,
(DGT-MSDE) New Delhi"

4. In view of the above, these writ petitions do not survive for any further consideration and are disposed of as such.
5. Needless to say, should the petitioner continued to aggrieve by the decision of the respondents, its right to seeks legal redressal against the same in accordance with law, would stand reserved.
6. There shall be no orders as to costs.

C. HARI SHANKAR, J

MARCH 13, 2019

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