

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No.27 of 2020

1. Laxmikant Chandraker S/o Late Pawan Kumar Chandraker Aged About 28 Years R/o Village Kumhali Post Pauha, Block Patan District Durg Chhattisgarh. 491221.
2. Nohar Singh S/o Shri Charan Singh Aged About 32 Years R/o Village and Post Hasda No. 2, Block Abhanpur, District Raipur Chhattisgarh 493661.

---Petitioner(s)

Versus

1. Union of India Through The Secretary, Ministry of Skill Development and Entrepreneurship, Government of India, New Delhi.
2. State of Chhattisgarh Through The Secretary, Department of Technical Education, Mantralaya, Naya Raipur Chhattisgarh.
3. Director General of Training, Ministry of Skill Development and Entrepreneurship, Government of India, Employment Exchange Building, Library Avenue, Pusa Campus, New Delhi.
4. Secretary State Board of Examination Directorate Employment and Training, Chhattisgarh, Pariksha Prakoshth Industrial Training Institute, Saddu, Raipur Chhattisgarh.
5. Superintendent, Industrial Training Institute Kurud, District Dhamtari Chhattisgarh.
6. Chairman Railway Recruitment Board, Near Kendriya Vidyalaya, Bilaspur Chhattisgarh.

---Respondents

For Petitioners	:	Shri Saleem Kazi, Advocate.
For State	:	Shri Jitendra Pali, Dy. Advocate General.
For Union of India	:	Ms. Jyoti Singh on behalf of Shri B.Gopa Kumar, A.S.G.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

08.01.2020

1. The limited relief sought by the petitioners in the present writ petition is for an appropriate direction to the respondents 3 & 4 for issuance of the Original National Trade Certificate.
2. According to the petitioners, they had participated in the programme of all India Trade Test of Craftsmen under CTS for Engineering and Non-Engineering trades under the respondent no.4 during the period 2006-2008 and 2007-2009. The petitioners had successfully completed the said course and they were also issued with a provisional certificate vide

Annexure P-3 dated July, 2008 and January, 2010. However, thereafter in spite of repeated request being made the respondent no.3 has not issued the Original National Trade Certificate which the petitioners now badly needs for their recruitment under the Railway Recruitment Board who have directed the petitioners to produce the original National Trade Certificate.

3. Given the fact that the petitioners had undergone training about 10 years back and they had also got provisional certificate issued about 10 years back and also considering the urgent need of the same for the petitioners for their employment purpose, this Court is of the opinion that no fruitful purpose would be served in keeping the writ petition pending rather ends of justice would meet if the respondents 3 & 4, as the case may be, are directed to immediately process the claim of the petitioners for grant of National Trade Certificate and issue the same to the petitioners within an outer limit of 45 days from the date of receipt of copy of this order.
4. It shall be the responsibility of the petitioners to apprise the respondents 3 & 4 for taking necessary steps pursuant to the order passed by this Court.
5. Meanwhile, in case the petitioners are selected by the Railway Department and the petitioner's appointment is being held back only on account of the petitioners not having the original National Trade Certificate, it is expected that the Board would grant reasonable time to the petitioners for providing the same or consider grant of provisional appointment subject to the petitioners furnishing the original.
6. With the aforesaid observation, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge