

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8737 OF 2022

Ayush Gorakh Amrale	...	Petitioner
Versus		
The Principal,		
Industrial Training Institute,		
Satpur, Nashik & Ors.	...	Respondents

Mr. Ketan A. Dhavle, Advocate for the Petitioners.

Mrs. P. J. Gavhane, AGP for the Respondents/State.

**CORAM: S.V. GANGAPURWALA &
S. M. MODAK, JJ.**

DATED : JULY 28, 2022

P.C.

1. Mr. Dhavle, learned Counsel for the petitioner submits that the petitioner is not allowed to appear for the examination on the ground that the petitioner has not completed 80% attendance. According to the learned Counsel, attendance sheet is not properly maintained. The petitioner was present. The petitioner has completed necessary attendance. The petitioner has also given representation/application to the Joint Director. No decision is taken on it as yet. There are 11 students and none of them have completed 80% of attendance.

2. The learned AGP submits that the petitioner, at the relevant time, was taking education at another college and was also working with another employer. The attendance

sheet shows that the petitioner has not even completed half of the attendance.

3. We have considered the submissions.

4. Naturally, the candidate has to undergo the course as per the Rules and Regulations applicable. The candidate is required to attend 80% of the actual number of working days as per the Rules governing the party. Rule 19(c) of the Manual gives power to the State Director in-charge of the training scheme to condone the number of days of attendance provided unavoidable circumstances are demonstrated by the candidate.

5. In the present writ petition, we may not go into the disputed question as to whether the petitioner was working with other employer and/or taking education in some other institution and/or the attendance sheet is not properly maintained or not. It is for the State Director in-charge of the training scheme to consider the same.

6. The petitioner has given representation (page 21) to the Joint Director. The Joint Director shall take decision upon the said representation preferably by 30th July 2022 on its own merit.

7. The writ petition is disposed of. No costs.

(S. M. MODAK, J.)

(S.V. GANGAPURWALA, J.)

Digitally signed
by RAJU
DATTATRAYA
GAIKWAD
Date:
2022.07.28
18:28:09
+0530