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***IN THE HIGH COURT OF DELHI AT NEW DELHI**

% Judgment delivered on: 17.08.2022

+ W.P.(C) 11934/2022 & CM APPL. Nos. 35658/2022,
35659/2022 & 35660/2022

ANKIT YADAV AND ORS. Petitioners

versus

UNION OF INDIA AND ANR. Respondents

Advocates who appeared in this case:

For the Petitioners : Mr. Shrikant Prasad, Advocate.

For the Respondents : Mr. Vineet Dhanda, CGSC with Mr.
Vedansh Anand, GP for R-1 and R-2.

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioners impugn order dated 29.07.2022, whereby the Original Application filed by the petitioners has been rejected by the Tribunal.
2. The petitioners had filed the Original Application seeking a direction to the respondents to give due weightage to the Apprenticeship Certificate of the petitioners.
3. Learned counsel for the petitioners submits that though the petitioners had completed one year training in the year 2020, the



certificates were issued in the year 2022. He submits that no examination has been held in the year 2022 and as such the Apprenticeship Certificate be considered by the respondents.

4. This is disputed by learned counsel for the respondents, who submits that the advertisement for the subject vacancies was issued on 23.02.2019 and the advertisement stipulated that the last date of registration was 12.04.2019, which would be treated as the cut-off date for completion of Apprenticeship. He submits that all candidates, who had completed their Apprenticeship training as on the last date i.e., 12.04.2019 were eligible for consideration even though, the Apprenticeship Certificate had not been issued or was issued later. He submits that since petitioners admittedly had not completed the Apprenticeship training as on the cut-off date i.e., 12.04.2019, petitioners are not eligible to be considered.

5. It is an admitted position that the only notification that has been issued is the subject notification dated 23.02.2019, which stipulated the cut-off date as 12.04.2019, before which the candidates were supposed to have completed the Apprenticeship training. Admittedly, the petitioners had not completed the Apprenticeship training as on the cut-off date of 12.04.2019 and, consequently, are not eligible for being considered pursuant to the said advertisement.

6. Accordingly, we find no merit in the petition. The petition is consequently dismissed.

7. At this stage, learned counsel for the petitioners submits that since no examination has been held for over three years and there



would still be vacancies left after the vacancies are filled up pursuant to the subject advertisement, the petitioners have already given a representation to the respondents to consider the petitioners for the unfilled vacancies or to hold fresh examination for the unfilled vacancies for which the petitioners, if eligible, be permitted to be considered.

8. Learned counsel for the respondents submits that without prejudice, respondents shall consider the representation of the petitioners and decide the same in accordance with law.

9. In view of the above, it is directed that the respondents shall consider the representation of the petitioners in accordance with law, preferably within a period of four weeks from today. The consideration would be without prejudice to the rights and contentions of the parties and all rights and contentions are reserved.

SANJEEV SACHDEVA, J

TUSHAR RAO GEDELA, J

AUGUST 17, 2022
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