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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 12846/2024 & CM APPL. 53629/2024**
SHAHEED BHAGAT SINGH PRIVATE ITI & ANR.Petitioners
Through: **Mr.Amitesh Kumar, Ms.Priti Kumari**
and Mr.Mrinal Kishor, Advs.

versus

DIRECTORATE GENERAL OF TRAINING & ANR.
.....Respondents
Through: **Mr.Varun Vats, SPC for UOI with**
Mr.Nishant Prateek, GP

CORAM:
HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER
% **27.09.2024**

1. The instant petition has been filed against the impugned order dated 30.08.2024 for de-affiliation of the petitioner-institution, passed by respondent no.1- Directorate General of Training (DGT).
2. Learned counsel appearing for the petitioners submits that the impugned order is *de hors* the principles of natural justice, inasmuch as, the respondents did not extend any opportunity of hearing to the petitioners. Learned counsel takes this Court through the impugned order and submits that on the recommendations of the 4th Skill Development and Entrepreneurship Committee of the State of Haryana, held on 26.06.2024, the recommendations were made to respondent no.1-DGT and on the basis of those recommendations, the order dated 30.08.2024 came to be passed.
3. Learned counsel who appears for respondent no.1-DGT, while filing the counter-affidavit, disputes the aforesaid position. He submits that if the



impugned order is perused in right perspective, the same would indicate that respondent no.1-DGT received an e-mail from the petitioner-institution on 20.08.2024 in pursuance of the deficiencies mentioned in the State's letter dated 30.07.2024, however, the same were not found to be satisfactory and therefore, the impugned decision was taken. He then submits that it is not a case where the petitioner-institution was not put to notice about the persisting deficiencies. He further draws the attention of this Court to the communication dated 30.07.2024 (*Annexure P-30*) to indicate that various deficiencies were specifically pointed out to the petitioner-institution.

4. I have considered the submissions made by learned counsel for the parties and perused the record.

5. The letter dated 30.07.2024, which appears to have been served upon the petitioner-institution, does record various deficiencies. It appears that the same was not strictly in the form of a show cause notice, however, the deficiencies are categorically enumerated from point nos.1 to 8 in the said communication. After noting the deficiencies and considering the recommendations of the Haryana Skill Development Entrepreneur Committee (HSDEC), the matter was recommended for de-affiliation of the petitioner-institution.

6. In all fairness, respondent no.1-DGT ought to have called upon the petitioner-institution, for the appropriate comments before sending adverse recommendations. Had that been done, the petitioner would have brought on record the necessary satisfaction/rectification in pursuance of the deficiencies.

7. Notably, the petitioner in the instant petition takes various grounds to assail the impugned decision, however, there does not seem to be any



consolidated reply/satisfaction with respect to eight deficiencies noted therein.

8. The impugned order also shows the reasons mentioned for de-affiliation. When the learned counsel for the petitioner-institution is called upon to explain as to whether any satisfaction/comment with respect to each of the deficiencies has been mentioned in the instant writ petition, he submits that if an opportunity is extended, he would furnish the necessary explanation to indicate that there does not arise any of the deficiencies.

9. The aforesaid exercise in the instant writ petition perhaps may not be required, keeping in mind the fact that the same will have to be appreciated by the competent authority.

10. The Court under the aforesaid circumstances, finds it necessary to set aside the impugned communication dated 30.07.2024 and directs the petitioner-institution to treat the same as a show cause notice with a liberty to the petitioner-institution to submit the reply with necessary documents within 7 working days from today. After receipt of the reply and necessary documents from the petitioner-institution, respondent no.1-DGT is directed to consider the matter afresh and pass appropriate order. If respondent no.1-DGT is satisfied that there does not remain any deficiency, the appropriate order for granting restoration of the affiliation be passed with immediate effect.

10. With the aforesaid observations, the present petition along with pending application stands disposed of.

PURUSHAINdra KUMAR KAURAV, J
SEPTEMBER 27, 2024/MJ