

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**WEDNESDAY, THE TWENTY FIFTH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX**

PRESENT

**THE HONOURABLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN**

WRIT PETITION NO: 32214 OF 2023

Between:

Kottalanka Dileep Kumar, S/o K.V.V.Satyanarayana, 29 years, Occ.
Unemployed, R/o Rock Roof Apartment block No. 2 Flat No. 14 Banjara hills
road no 12 Hyderabad pin 500034.

...PETITIONER

AND

1. Union of India, Ministry of Skill Development, rep. by its Director General of Training, 7th Floor, New Kaushal Bhawan, Near Safdarjung Railway Station, Chanakyapuri, New Moti Bagh, New Delhi, PIN- 110023, Ph.01124671101, mail. dirgen-msde@gov.in
2. The Regional Director, RDSDE, SEEDAP Campus, 2nd Floor, NTR Administrative Block, Pandit Nehru Busstand, Vijayawada-520002 rdsde-ap-msde@gov.in
3. The Chief Executive Officer, (Chairman and Managing Director), Railway Board, Room No.235, Rail Bhavan, Raisina Road, New Delhi-100001, Mob. 9910487493, mailid. crb@rb.railnet.gov.in.
4. The Chairman, Railway Recruitment Cell, 1st Floor, Annexed to Rail Nilayam, South Central Railway, Secunderabad, 500071, Ph. 04027788823, 04027788824, chairmanrrcscr@gmail.com.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue Writ or Order or Direction more particularly one in the nature of WRIT OF MANDAMUS directing the 1st and 2nd Respondent to issue pass certificate to the Petitioner that the Petitioner has passed all the AITT/NCVT examination by Dec,2018 itself and consequently quash and set aside the Ir. No. RRC/SC/CEN/01/2019/Level-1- dt.28.04.2023 and No. SCR/P-HQ/111/RRC/ III/K. Dileep Kumar/24798 dt.10.10.2023 only to the extent of the Petitioner by directing the 3rd and 4th Respondents to release offer of appointment letters to the

Petitioner in Railway under employment Notification Centralized Employment Notification No. RRC-01/2019 dt. 23.02.2019.

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay the operation of the Ir. No. RRC/SC/CEN/01/2019/Level-I-dt.28.04.2023 and No. SCR/P-HQ/111/RRC/ III/K. Dileep Kumar/24798 dt.10.10.2023 only to the extent of the Petitioner by directing the 3rd and 4th Respondents to release offer of appointment letters to the Petitioner in Railway under employment Notification "Centralized Employment Notification No. RRC-01/2019 dt. 23.02.2019" and pass such other order or orders which the Hon'ble Court may deem fit and proper in the circumstances of the case for their livelihood pending disposal of the above writ petition.

IA NO: 2 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to treat the additional affidavit/ additional material papers as part and parcel of the main writ petition, pending disposal the above writ petition.

IA NO: 2 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to treat the additional affidavit/ additional material papers as part and parcel of the main writ petition No. 32214 of 2023 pending disposal the above writ petition.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Registry to list the WP No. 32214 of 2023 before the Hon'ble single Bench for further adjudication.

Counsel for the Petitioner: SRI V.RAMU

**Counsel for the Respondents: SRI N.BHUVANGA RAO, Dy. SOLICITOR GEN.
OF INDIA**

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HON'BLE SRI JUSTICE G.M.MOHIUDDIN

WRIT PETITION No. 32214 of 2023

DATED : 25.03.2026

Between:

Kottalanka Dileep Kumar

... Petitioner

AND

Union of India, Ministry of Skill Development,
rep. by its Director General of Training,
New Delhi and three others

... Respondents

ORDER:

Sri V. Ramu, learned counsel appears for petitioner.

Sri N. Bhujanga Rao, learned Deputy Solicitor General
of India, appears for respondents.

2. The Centralized Employment Notification (CEN)
No.RRC-01 of 2019 dated 23.02.2019 (Ex.P.7) was issued by
Railway Recruitment Board for recruitment of Act
Apprentices in Railways for the candidates who have qualified
All India Trade Test (AITT)/National Council of Vocational
Training (NCVT) examination on or before 12.04.2019.

3. The claim of the petitioner who had appeared and passed the said exam before the cutoff date as per Clause 12.2 of the notification was rejected by the impugned notice dated 28.04.2023. The endorsement in respect of his name at Sl.No.211 is "AS PER PARA 12.2 of CEN, he has NOT appeared in the NCVT examination before the last date for registration of online application i.e., on or before 12.04.2019". The petitioner approached this Court thereafter with a prayer to direct respondent No.2 to issue pass certificate to him since according to him, he had passed AITT/NCVT examination by December, 2018, itself. He sought quashing of the notice dated 28.04.2023 as regards him and for release of appointment letter to him under the Centralized Employment Notification (CEN) No.RRC-01 of 2019 dated 23.02.2019.

4. The controversy surrounds around the question whether the petitioner was eligible for the post under Group-D test conducted by respondent No.3. The Coordinate Bench of this Court *vide* order dated 21.11.2024 framed pivotal question to be answered taking into account the documents, such as, Annexures P.1, P.2, P.4 and P.6, filed by the petitioner

cumulatively to show that the petitioner had qualified the test in December, 2018. Ex.P.4 is the statement of marks for AITT under ATS conducted by Director General of Training (DGT), Ministry of Skill Development and Entrepreneurship (MSDE) and Apprentice Training Scheme (ATS) for the exam held in December, 2018, results of which were declared on 16.12.2019 and Mark sheet was generated on 26.05.2023. The training period as per the said statement of marks is from 19.10.2016 to 18.10.2017. According to the petitioner, the screenshots of the marks sheet on the website of the Ministry at Annexures P.1 and P.2 are contradictory as Ex.P.1 shows him failed in 2018 whereas Ex.P.2 shows him passed. Ex.P.6 is a statement of marks for the same exam held in December, 2021, showing the same period of training i.e., from 19.10.2016 to 18.10.2017 results of which were declared on 19.02.2022. This statement of marks shows that he has qualified the exam with total 385 marks.

5. In view of the direction issued by the Coordinate Bench of this Court *vide* order dated 21.11.2024, an additional counter-affidavit was filed by respondent Nos.1 and 2. The

relevant paragraphs which seek to explain the discrepancy noted in the order dated 21.11.2024 are extracted hereunder:

“5. It is submitted that the certificates as claimed in Sl. No.1 of the Table in para-6 of this I.A. 1 of 2024 and marked as P-3 or 23 is not a certificate. It appears to be a screen shot of a computer screen taken on 3/9/2019. As per the records available with this directorate (DGT), the marks obtained by the petitioner in the paper Trade Theory are 28 out of max. marks 100 in the Computer Based Test conducted in Dec 2018. The minimum marks required to pass in Trade Theory are 40 out of 100 i.e. 40%. The marks in the Sessional part of Trade Theory paper are 17 out of max. marks 20. The petitioner has produced a screenshot dated 24.04.2019 marked as page 24 of this I.A. In this screenshot dated 24.04.2019 the petitioner has obtained a total of 45 marks (28+17) in the Trade Theory Paper. The same has been corroborated in the marksheet issued by this directorate dated 16-Dec-2019 and produced by the petitioner as page marked as 26 of this I.A. It is further submitted that the marks obtained by other apprentices as appearing in the screenshot dated 3/9/2019 and marked as P-3 or 23 of this I.A. are matching with the records available with this directorate. Therefore, based on the submission in this para, the genuineness of the screenshot dated 3/9/2019 and marked as P-3 or 23 of this I.A. appears to be inconclusive. The petitioner Shri Kottalanka Dileep Kumar may be directed to submit the original screenshot dated 3/9/2019 and marked as P-3 or 23 of this I.A. for examination.

6. As per the letter no.B/ELS/TRS/55 dated 29.04.2019 issued from the Office of DRM, Electric Loco Shed, South Central Railway, the petitioner has been listed as ex-failed apprentice for appearing All India Trade Test to be held during May 2019, Page No.4 (FORMAT-4) of this letter dated 29.04.2019 may please be referred to. This letter is attached as Annexure R-1. This means

that the petitioner had not cleared trade Theory examination in the previous AITT i.e. AITT 108 held in Dec 2018.

7. It is submitted that the petitioner has not furnished any evidence of him clearing the Trade Theory paper during AITT 108 held in Dec 2018. The genuineness of the screenshot dated 3/9/2019 and marked as P-3 or 23 of this I.A. appears to be inconclusive. The petitioner may be directed to submit the original screenshot dated 3/9/2019 and marked as P-3 or 23 of this I.A. for examination. Evaluated answer sheet of the petitioner for the Trade Theory paper is not available as the exam was held in Dec 2018. Submissions made in para-6 above may considered as sufficient enough to prove that the petitioner has not cleared the Trade Theory paper in the 108 AITT held in Dec 2018. It is further submitted the petitioner has never cleared the Trade Theory paper in the any of the AITT held so far.

8. It is submitted that the petitioner is eligible to get a pass certificate based on the application of provision contained in Ministry of Skill Development and Entrepreneurship (MSDE) O.M. No. MSDE-14(03)/2021-AP(PMU) dated 20th Dec, 2021 and effective from 1st Jan, 2022. This directorate is ready to issue a corrected pass certificate considering only the marks obtained in Trade Practical paper only. As per the records, the petitioner has secured 259 out of 300 marks in main Practical examination and 85 out of 100 marks in Sessional. It is worth mentioning here that the Practical paper consists of two components of main/external (300 marks) and sessional/internal (100 marks). The date of result of this marksheet would be 1st Jan 2022 the effective date of implementation of O.M. No. MSDE-14(03)/2021-AP(PMU) dated 20th Dec, 2021. All other marksheets and certificates issued shall be cancelled.”

6. A reading of the aforesaid paragraphs indicates that the respondents have failed to answer the discrepancy as regards

Annexures P.4 and P.6. The explanation is confined to Annexure P.3 or 23 of I.A. The petitioner also filed a reply thereto on 08.04.2024 reiterating that he had secured pass marks in three papers during May 2018 and in remaining one paper during December, 2018, exam. The respondents have denied the successful completion of the Act Apprenticeship examination during December, 2018, without furnishing any document to the contrary. The respondents should be directed to furnish the evaluated answer sheets written by the petitioner in December, 2018, AITT/NCVT examination. They are under obligation to issue pass certificate exempting him from passing Trade Theory Examination taking citation of OM No. F.No.MSDE.I4(02)/2021 AP. (PMU) dated 25.01.2022.

7. We have heard the learned counsel for the parties in this background of facts relevant for deciding the controversy herein. It appears that discrepancy between Annexures P.1 and P.2 remained despite filing of additional counter affidavit. But, the perusal of the statement of marks at Annexure P.4 for the exam held in December, 2018, results of which were declared on 16.12.2018 removes any doubt that the petitioner had

appeared in the Trade Practical and Sessional Papers and qualified the exam. The discrepancy in Ex.P.1 and P.2 relates to passing of the petitioner in trade theory paper the veracity of these documents have not been explained in the additional counter-affidavit filed by the respondents.

8. In these circumstances, this Court is of the view that the rejection of the case of the petitioner on the ground that he had not appeared in the exam by the cutoff date 12.04.2019 as per Clause 12.2 of the notification is not correct. Therefore, the impugned rejection order is set aside. The case of the petitioner be considered in accordance with law of course, subject to eligibility conditions and verification of the relevant certificates. Needless to say, if the petitioner is otherwise eligible, his candidature may be considered as against any vacancies existing in the Department for the subject post within a reasonable time. This exercise be completed within a period of sixteen (16) weeks from the date of receipt of a copy of this order.

Accordingly, the instant Writ Petition is disposed of.

There shall be no order as to costs.

Miscellaneous applications, if any pending, shall stand closed.

SD/- B.REKHA RANI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Director General of Training, Union of India, Ministry of Skill Development, 7th Floor, New Kaushal Bhawan, Near Safdarjung Railway Station, Chanakyapuri, New Moti Bagh, New Delhi, PIN- 110023.
2. The Regional Director, RDSDE, SEEDAP Campus, 2nd Floor, NTR Administrative Block, Pandit Nehru Busstand, Vijayawada-520002 rdsde-ap-msde@gov.in
3. The Chief Executive Officer, (Chairman and Managing Director), Railway Board, Room No.235, Rail Bhavan, Raisina Road, New Delhi-100001, Mob. 9910487493, mailid. crb@rb.railnet.gov.in.
4. The Chairman, Railway Recruitment Cell, 1st Floor, Annexed to Rail Nilayam, South Central Railway, Secunderabad, 500071, Ph. 04027788823, 04027788824, chairmanrrcscr@gmail.com.
5. One CC to SRI V.RAMU, Advocate [OPUC]
6. One CC to SRI N.BHUJANGA RAO, Dy. SOLICITOR GEN. OF INDIA [OPUC]
7. Two CD Copies

PSK.

TKS

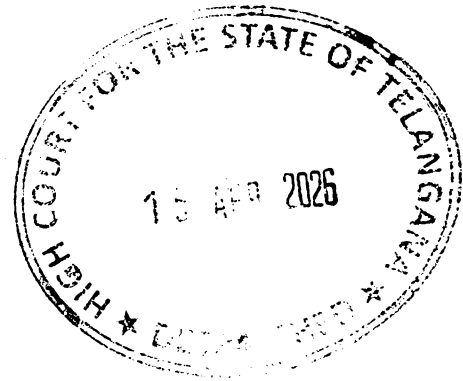


HIGH COURT

DATED:25/03/2026

ORDER

WP.No.32214 of 2023



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

⑨ NT
13/4/26.