



2025:DHC:7715



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

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Judgment pronounced on: 04.09.2025

+ **W.P.(C) 3783/2021 and CM APPL.11372/2021**

DPMI VOCATIONAL PVT LTDPetitioner
Through: Ms. Neha Rathi, Mr. Kamal Kishore
and Ms. Kajal Giri, Advocates.

versus

UNION OF INDIA & ORS.Respondents
Through: Ms. Radhika Bishwajit Dubey, CGSC
along with Ms. Gurleen Kaur
Waraich and Mr. Kritarth Upadhyay,
Advocates for R-1 to R-3/UOI.
Mr. Rohit Mahajan, for Respondent
No.4.

+ **W.P.(C) 6141/2021 and CM APPLs.19443/2021, 55630/2023,
56220/2024, 74261/2024, 74262/2024, 7255/2025**

VIROHAN PRIVATE LIMITEDPetitioner
Through: Mr. Rajiv Nayar, Sr. Adv. along with
Mr. Devashish Bharuka, Sr. Adv., Mr.
Ravi Bharuka, Mr. Anshul Pandey
and Mr. Rohit Agarwal, Advocates.

versus

UNION OF INDIA THROUGH ITS SECRETARY MINISTRY OF
SKILL DEVELOPMENT AND ENTREPRENEURSHIP & ORS.
.....Respondents
Through: Ms. Monika Arora, CGSC along with
Mr. Subrodeep Saha and Mr. Prabhat
Kumar, Advocates for UOI.
Mr. Rohit Mahajan, for Respondent
No.4.



**CORAM:
HON'BLE MR. JUSTICE SACHIN DATTA**

JUDGMENT

1. During the course of hearing, the petitioner in W.P. (C) No. 6141 of 2021 has confined its prayers to the following reliefs -

“A. Direct the Respondent No.4/ NSDC to permit the Petitioner to generate the certificates from the SIDH Portal for all its balance 812 students who have been admitted in the deactivated courses that are disputed during the FY-2022-23 and FY-2023-24 in parity with the students of DPMI Vocational;

B. Protect all its 2212 students who have been admitted by the Petitioner pursuant to the interim orders passed by this Hon’ble Court by making the interim orders dated 06.07.2021 and 06.08.2021 absolute.

C. Pass any order as this Hon’ble Court deems fit in the interest of the 2,212 students admitted in pursuance to the interim orders dated 06.07.2021 and 06.08.2021 passed by this Hon’ble Court.”

2. As regards W.P. (C) No. 3783 of 2021, it is submitted that approximately 6000 students have successfully completed their respective courses under the agreement dated 06.02.2015 (entered between the petitioner in W.P. (C) No. 3783 of 2021 and respondent no. 4/ National Skill Development Corporation), pursuant to the interim order dated 22.03.2021 passed by this Court. The relevant portion of the interim order dated 22.03.2021, is reproduced as under -

“5. Considering the overall facts and circumstances and the pandemic situation, since there is a higher requirement of paramedical staff, as also since the academic year is expected to commence shortly, any admissions which may be made by the Petitioner shall be subject to the outcome of this writ petition, and no coercive steps shall be taken against the Petitioner, or against any of the students of the Petitioner, till the next date of hearing.”



2025:DHC:7715



3. The said interim order has been continued since then. It is submitted that these students have been issued valid certificates by respondent no. 4.

4. In view of the above developments, the petitioner in W.P. (C) No. 3783/2021 has expressed disinclination to further pursue the writ petition. However, the petitioner seeks a protective direction from this Court restraining the respondents from revoking or invalidating the certificates already issued to its students.

5. Considering that the primary grievance raised in W.P. (C) No. 3783 of 2021 stands substantially addressed, this Court finds it appropriate to proceed to examine in detail the factual matrix and reliefs sought in W.P. (C) No. 6141 of 2021.

6. The petitioner, Virohan Private Limited, is a technology led healthcare training platform, engaged in providing vocational training to aspiring allied healthcare professionals through approved Qualification Packs and National Occupation Standards (QP-NoS) under the National Skills Qualification framework (NSQF). The NSQF organises the qualifications into ten levels and all such QP-NoS that are aligned to NSQF levels are recorded in the National Qualifications Register (NQR).

7. Respondent no. 1, the Ministry of Skill Development and Entrepreneurship (MSDE), is responsible for overall policy coordination related to skill development across various sectors in India. It created the National Council for Vocational Education and Training (NCVET), i.e., respondent no. 3, by notification dated 05.12.2018. NCVET regulates the NSQF-aligned QP-NoS and is tasked with ensuring quality and standardization in vocational training.



2025:DHC:7715



8. Respondent no. 2, the Ministry of Health and Family Welfare (MoHFW), is charged with health policy in the country.

9. Respondent no. 4, the National Skill Development Corporation (NSDC), is a not-for-profit public limited company where respondent no.1/MSDE holds 49% of the shareholding, and the private sector holds 51%. NSDC supports the expansion of quality vocational training institutions by offering funding and accreditation.

10. Respondent no. 4/NSDC, had issued funding guidelines for the purpose of setting up and expanding training institutes and becoming a funded training partner for any of the available courses/qualification packs approved by NSDC. These guidelines invited applications from private institutions to become funded training partners for a tenure of 7 years.

11. Pursuant to the funding scheme, the petitioner submitted a detailed technical proposal outlining the number of students to be trained, the specific qualification packs and courses to be offered, project duration, promoter's contribution, and the quantum of funding sought. After evaluation, NSDC issued a revised final Term Sheet on 13.03.2020. Subsequently, a formal Loan Agreement was entered into on 12.06.2020 between NSDC and the petitioner Institute for a tenure of seven years. Relying on this agreement, Virohan began enrolling students in 2020 in the approved QP-NoS-aligned healthcare courses and commenced the training programs.

12. However, on 17.02.2021, respondent no. 3/NCVET, acting on a recommendation from respondent no. 2/MoHFW, issued an order deactivating 21 approved qualifications of Healthcare Sector Skill Council (HSSC), including four key qualifications offered by Virohan, namely,



Medical Lab Technician (MLT), Operation Theatre Technician (OTT), Emergency Medical Technician (EMT), and X-ray Technician (XRT). The said courses were ordered to be removed from NQR.

13. It is submitted that these four courses formed the backbone of Virohan's healthcare curriculum, accounting for approximately 89% of the total enrolments annually.

14. Although the order did protect students who had already been enrolled and had begun their training before the issuance of the order, however, it restrained the petitioner from enrolling any fresh students for the said courses.

15. It is submitted that the deactivation order was passed without prior notice to Virohan, despite its contractual obligations and existing student base.

16. Aggrieved by the deactivation of its major training programs, the petitioner filed the present writ petition, challenging the impugned order dated 17.02.2021.

17. Subsequently, on 06.07.2021 and 06.08.2021, this Court passed interim orders allowing the petitioner to admit students into the aforementioned four deactivated courses for the next academic session, subject to the final outcome of the petition.

Order dated 06.07.2021 is reproduced as under –

“4. The petitioner, an institute for providing vocational education and training for paramedical personnel and allied healthcare workers, has assailed the order dated 17.02.2021 issued by the respondent no. 3/National Council for Vocational Education and Training.

5. Learned counsel for the petitioner submits that the institute was set up after an agreement was entered into between the petitioner and respondent no.4/National Skill Development Corporation on 12.06.2020 for imparting training and providing qualifications in the field of



Paramedical Sciences. He submits that the petitioner has been scrupulously abiding by the terms of the agreement and consequently, admitting students and imparting education of the prescribed standards. He further submits that respondent no.3 has, however, passed an order on 17.02.2021 whereby the petitioner stands prohibited from admitting students in four courses offered by it namely - Medical Laboratory Technician, Emergency Medical Technician Advanced, Operating Theatre Technician and X-Ray Technician. By placing reliance on an order passed by the Co-ordinate Bench on 22.03.2021 in a plea raising similar issues being W.P.(C)3783/2021 titled as “DPMI Vocational Pvt. Ltd. vs Union of India & Ors.”, he prays that the petitioner be permitted to admit students in the aforesaid four courses during the pendency of the present petition.

6. Issue notice. Ms. Monika Arora, learned counsel accepts notice for the respondent nos.1 to 3. She prays for time to obtain instructions. Upon the petitioner taking steps, issue notice to respondent no.4. Counter affidavit/reply, if any, be filed within three weeks. Rejoinder thereto, if any, be filed within five days thereafter.

7. Having perused the order dated 17.02.2021 and the terms of the agreement dated 12.06.2020, and in the light of the fact that the whole world is reeling under the effect of COVID-19 when there is an acute requirement of skilled paramedical staff; it is directed that the petitioner be permitted to admit students in the next academic session in the aforesaid four courses also. The admissions would, however, be subject to further orders passed in the present petition and no special equities will be created in the petitioner’s favour on account of it being permitted to admit students during the pendency of the petition. Till the next date, the respondents stand restrained from taking any action against the petitioner or the students in respect of the aforesaid four courses.”

Order dated 06.08.2021 is reproduced as under –

“1. Despite opportunity, no counter affidavit has been filed.

2. In the interest of justice, the respondents are granted further two weeks’ time to file counter affidavit. Rejoinder thereto, if any, be filed within four weeks.

3. In the meanwhile, the respondents will strictly comply with the interim orders passed by this Court on 22.03.2021 and 06.07.2021. It is further made clear that once this Court has permitted the petitioner to admit students to their institutions, they will be entitled to take all necessary consequential steps – which, needless to state, will also be subject to outcome of the present petitions.



2025:DHC:7715



4. List on 08.10.2021”

18. It is submitted that pursuant to these interim orders, Virohan admitted 2,212 students between 17.02.2021 and 28.03.2024 across the four deactivated courses. Out of these, only 1,199 students were issued course completion certificates, while the remaining 812 students were denied certification. It is submitted that the denial came despite the students completing their training in accordance with the contract and under the protection of the Court’s interim directions.

19. It is submitted that the assertion of the respondents that the interim orders dated 06.07.2021 and 06.08.2021 were applicable only to students enrolled during the academic year 2021–2022, and that the petitioner took undue advantage by continuing admissions for academic year 2022–2023 and 2023–2024, is incorrect. It is submitted that the interim orders were continued through various subsequent orders and NSDC itself permitted the petitioner to admit students into the deactivated courses on the basis of specific undertakings provided by the petitioner. These undertakings were accepted by NSDC.

20. It is further submitted that with effect from 28.03.2024, Virohan has voluntarily discontinued fresh admissions to the said deactivated courses. In light of the above, the limited relief now sought by the petitioner is a direction to the respondents to issue course completion certificates to all 2,212 students who were enrolled during the subsistence of the interim orders and who have successfully completed their training.

21. In response to the claim made by respondent no. 4/NSDC that it is not responsible for the issuance of certificates and that it does not manage the Skill India Digital Hub (SIDH) Portal, which is the designated platform for



2025:DHC:7715



issuing such certificates, the petitioner submits that these assertions are incorrect.

22. It is submitted that in official communications dated 27.02.2022 and 02.09.2022, NSDC categorically informed the petitioner that manual certification had been discontinued and directed that all the certificates must be downloaded from the Skill India Portal (SIP). These directions squarely place the onus of enabling certification via the SIP on NSDC. Furthermore, NSDC's Newsletter, *NSDC Connect – October 2023*, clearly affirms that the SIP is a comprehensive digital platform aimed at synergizing and transforming the skills, education, employment and entrepreneurship landscape of India, developed by the NSDC under the aegis of MSDE. It is submitted that SIDH platform is also controlled and managed by NSDC. This claim is reiterated on the official SIDH website www.skillindiadigital.gov.in.

23. The petitioner submits that the entire certification process is technologically controlled by NSDC via the SIDH Portal. It is submitted that the certificate generated from the SIDH Portal has some unique details which is given by NSDC through SIDH Portal and cannot be given/created by the petitioner. Such unique details are unique candidate ID, unique Certificate ID and unique bar code, when scanned gives a unique document ID.

24. The petitioner further submits that respondent no. 4 has engaged in discriminatory and arbitrary conduct in the matter of certificate issuance. Specifically, NSDC has permitted DPMI Vocational Pvt. Ltd. (petitioner in W.P. (C) No. 3783 of 2021) to generate certificates for students enrolled in identical deactivated courses. However, similarly situated students of



2025:DHC:7715



Virohan have been denied equal treatment, despite being enrolled under comparable circumstances and within the same timeframes.

25. It is further submitted that NSDC's own data submitted in its counter affidavit dated 01.02.2025 (in CM Application No. 74261 of 2024), reveals ad hoc and inconsistent issuance of certificates. Students from the same course, batch, and academic year have been treated differently. Some have been issued certificates while others have been arbitrarily excluded, without any plausible justification.

26. In light of the above, the petitioner submits that its students are entitled to be treated at par with other similarly placed students and hence prays for appropriate directions to the respondents to issue course completion certificates to all 2,212 students who were enrolled during the subsistence of the interim orders and who have completed their training successfully.

27. While objecting to the aforesaid contentions of the petitioner the respondent no. 4 has submitted as under –

- a. It is submitted that NSDC is not an admitting, assessing, awarding, or certifying body within the national skill qualification framework. Instead, it operates strictly as an enabler and facilitator. Training partners such as the petitioner are independently responsible for admissions, training, assessments, and, where applicable, certification. NSDC's function is limited to supporting the digital infrastructure and coordination required for such operations.
- b. It is submitted that the final certification of courses is either be done by the Training Partner itself (through internal mechanisms) or by external assessment agencies or Sector Skill Councils (SSCs), which



2025:DHC:7715



are duly accredited by the National Council for Vocational Education and Training (NCVET – Respondent No. 3). NSDC merely provides the digital platform for data integration and lifecycle tracking, such as through the Skill India Digital Hub (SIDH) Portal.

- c. It is submitted that the training partners are responsible for uploading data to the SIDH Portal, including enrolment, training progress, assessments, certification, and placements. Once a course is deactivated, the petitioner cannot update training completion or generate final certificates for that course through the SIDH Portal.
- d. NSDC maintains that the interim orders dated 06.07.2021 and 06.08.2021, passed by this Court during the COVID-19 pandemic, only permitted the Petitioner to admit students for the academic year 2021–22. The phrase “next academic session” has been interpreted to mean only the session immediately following the date of the order i.e., 2021–22.
- e. NSDC asserts that the petitioner continued to enroll students in the academic years 2022–23 and 2023–24 under courses that were already deactivated.
- f. It is submitted that while certificates were issued to some students from the 2022–23 and 2023–24 batches, such certificates were either generated by the petitioner or by third-party SSCs. NSDC denies having issued any certificate to students admitted beyond 2021–22.
- g. It is submitted that in compliance with the interim orders, NSDC reactivated the deactivated courses on the SIDH Portal to allow completion and certification of the 2021–22 batch. Since the duration of some of these courses extended up to March 2024, portal access



2025:DHC:7715



was maintained until that time. However, the petitioner continued to admit students even during 2022–23 and 2023–24, taking undue advantage of this operational leniency.

- h. It is further submitted that NSDC does not grant or withhold approval for student admissions. All decisions regarding enrolment are taken independently by the Training Partner.
- i. It is submitted that a meeting was held on 04.12.2024 and 05.12.2024 between representatives of NSDC and the petitioner, during which NSDC reiterated its understanding of the interim orders and clarified that no certificates should be generated for students beyond the academic year 2021–22.

28. Learned Counsel for respondent no. 1 to 3 has raised the following objections –

- a. The order dated 17.02.2021 issued by the Ministry is a policy decision involving deactivation of the aforementioned courses. It was taken in exercise of the powers vested in the respondent authorities and is not amenable to challenge under writ jurisdiction.
- b. It is further submitted that the agreement dated 12.06.2020 is a purely contractual arrangement between Virohan Private Limited and NSDC/respondent no. 4. The Union of India is not a party to this agreement. It is submitted that Clauses 10 and 11 of the agreement lay down a comprehensive dispute resolution mechanism through arbitration, clearly ousting the jurisdiction of the writ court in such contractual disputes. Therefore, the writ petition is not maintainable and is liable to be dismissed on this ground alone.



2025:DHC:7715



- c. It is submitted that this Court, *vide* its interim order dated 06.07.2021, had granted limited relief to the petitioner in the backdrop of the COVID-19 pandemic. The Court expressly permitted the petitioner to admit students only for the “next academic session” (i.e., 2021–2022) in four specific deactivated courses. The Court further made it explicitly clear that such admissions would be subject to final outcome of the petition and that no equities shall arise in favour of the petitioner by virtue of such interim arrangement.
- d. It is submitted that the petitioner never sought any extension of the interim relief beyond July 2022. Despite the absence of further directions from the Court, the petitioner proceeded to admit students in academic sessions 2022–2023 and 2023–2024, claiming to do so under the garb of the interim order.
- e. It is submitted that the petitioner also misrepresented facts by suggesting that the courses were deactivated only from 28.03.2024, whereas in reality, the courses had been deactivated from 17.02.2021 itself.
29. This Court has heard both parties at length. It is an admitted position that the petitioner is no longer challenging the order dated 17.02.2021. In fact, the petitioner has expressly submitted that it has ceased enrolling any new students for the concerned courses with effect from 28.03.2024. The only limited relief now sought by the petitioner is a direction to the respondents to issue certificates of completion to students who have successfully completed their respective courses, in terms of the interim orders passed by this Court on 06.07.2021 and 06.08.2021.



30. Given the narrow scope of the relief presently sought, this Court finds no merit in the respondent's objection that the order dated 17.02.2021 reflects a policy decision (relating to the deactivation of the aforementioned courses) and, therefore, precludes judicial review under Article 226 of the Constitution of India, in the facts and circumstances of the case. As noted, the petitioner is not challenging the policy decision itself, but is merely seeking issuance of certificates to the students who have already completed their courses pursuant to interim orders passed by this Court.

31. With regard to the second objection raised by the respondent that Clauses 10 and 11 of the agreement dated 12.06.2020, entered between Virohan Private Limited and NSDC/ respondent no. 4, prescribe an alternate dispute resolution mechanism, thereby ousting the jurisdiction of this Court, it is well settled that the same will not *ipso facto*, oust the jurisdiction of the Court, given that the impugned action/s affect the fundamental rights of the concerned students as well. The legal position has been succinctly stated by the Supreme Court in *Unitech Ltd. v. Telangana State Industrial Infrastructure Corporation*, 2021 SCC Online SC 99¹ and *UP Power Transmission Corp. Ltd. v. CG Power and Industrial Solutions Ltd.*, 2021 SCC Online SC 383².

¹ “39.....

39.3. Article 23.1 of the development agreement in the present case mandates the parties to resolve their disputes through an arbitration. However, the presence of an arbitration clause within a contract between a State instrumentality and a private party has not acted as an absolute bar to availing remedies under Article 226.

39.4. If the State instrumentality violates its constitutional mandate under Article 14 to act fairly and reasonably, relief under the plenary powers of Article 226 of the Constitution would lie.....

² “67. It is well settled that availability of an alternative remedy does not prohibit the High Court from entertaining a writ petition in an appropriate case. The High Court may entertain a writ petition, notwithstanding the availability of an alternative remedy, particularly: (i) where the writ petition seeks enforcement of a fundamental right; (ii) where there is failure of principles of natural justice or (iii) where the impugned orders or proceedings are wholly without jurisdiction or (iv) the vires of an Act is under challenge. Reference may be made to *Whirlpool Corpn. v. Registrar of Trade Marks and Pimpri Chinchwad Municipal Corpn. v. Gayatri Construction Co.*, cited on behalf of Respondent 1.



32. In the present case, the petitioner has specifically alleged that students admitted by it have been treated unequally and arbitrarily in comparison to similarly placed students of other institutions. This, in the opinion of this Court, raises substantial issues warranting the exercise of writ jurisdiction despite the existence of a contractual arbitration clause.

33. Furthermore, the Supreme Court in *M.P. Power Management Company Limited, Jabalpur v. Sky Power Southeast Solar India Private Limited and Others*, 2023 2 SCC 703 has observed as under -

“82.9. The need to deal with disputed questions of fact, cannot be made a smokescreen to guillotine a genuine claim raised in a writ petition, when actually the resolution of a disputed question of fact is unnecessary to grant relief to a writ applicant.

82.10. The reach of Article 14 enables a writ court to deal with arbitrary State action even after a contract is entered into by the State. A wide variety of circumstances can generate causes of action for invoking Article 14. The Court's approach in dealing with the same, would be guided by, undoubtedly, the overwhelming need to obviate arbitrary State action, in cases where the writ remedy provides an effective and fair means of preventing miscarriage of justice arising from palpably unreasonable action by the State.”

34. It is undisputed that, pursuant to the interim orders of this Court dated 06.07.2021 and 06.08.2021, which have continued to operate till date, the deactivated courses were reactivated by the respondents. Relying on this, the petitioner admitted students not only for the academic year 2021–2022, but also for the subsequent sessions 2022–2023 and 2023–2024. The sole controversy that now survives pertains to the interpretation of the interim orders, specifically whether the interim orders permitted admissions only for the academic year 2021–2022, or whether they also encompassed the subsequent academic years.



2025:DHC:7715



35. The respondents maintain that they are not obligated to allow certification to students enrolled in the academic years 2022–2023 and 2023–2024, asserting that the interim order was limited to the “next academic session” i.e., 2021–2022 alone. In contrast, the petitioner contends that the respondents have already issued completion certificates to some students from the academic years 2022–2023 and 2023–2024, while denying the same to others. This, according to the petitioner, has resulted in arbitrary and discriminatory treatment among students who have otherwise completed the same courses.

36. In order to resolve this controversy, this Court, *vide* order dated 14.01.2025, directed the respondents to clarify whether any students admitted in the academic years 2022–2023 and 2023–2024 had been granted certification in respect of any of the four courses in question. The relevant portion of the said order reads as under:

“1. In view of the urgency emphasised by learned counsel for the applicant, let reply be filed by the respondents within a period of two weeks from today.

2. Let the reply to be filed by the concerned respondent(s), clearly disclose as to whether student(s) admitted in the financial year 2022–2023 and 2023–2024 have been granted certification in respect of any of the four courses which are the subject matter of the present petition.

3. List on 04.02.2025.

4. Subsisting interim order(s) to continue.”

37. In compliance with the said order, the respondent no. 4 filed a reply dated 31.01.2025, thereby stating that the respondent no. 4 allowed certificates for only those students who were enrolled in year 2021-2022 and not for the student who were admitted subsequently in year 2022 – 2023 and 2023 – 2024.



38. To the said reply the respondent no. 4 has annexed a detailed table showing the number of students enrolled during the academic years 2021–2022, 2022–2023, and 2023–2024, along with the status of their certification [Annexure A (Colly)].

39. Upon a careful perusal of this data, this Court finds substance in the petitioner’s grievance. The table confirms that while some students admitted during 2022–2023 and 2023–2024 were granted course completion certificates, others from the same academic years, though having completed identical training, have been denied similar certification. This inconsistency is demonstrable from following serial numbers of the annexed table :-

FOR FY 2022-2023

i. For Course duration less than 1 year

- Certificate given [S. No.449-453]

S.No.	Batch Id	Batch Type	FY	Batchfee Total Fees	Organization Name	Course Name	Assessment Mode	Batch Start Date	Batch End Date	Course duration (Months)	Trained Date	Assessment Start Date	Assessment End Date	Assessment Date	Certified Date
449	2145064	Regular	2022-23	42000	Virohan Private Limited	Medical Laboratory Technician	Self	17-10-2022 00:00	22-05-2023 00:00	7.2	19-09-2023	23-05-2023 00:00	29-05-2023 00:00	19-09-2023	19-09-2023
450	2145064	Regular	2022-23	42000	Virohan Private Limited	Medical Laboratory Technician	Self	17-10-2022 00:00	22-05-2023 00:00	7.2	19-09-2023	23-05-2023 00:00	29-05-2023 00:00	19-09-2023	19-09-2023
451	2145064	Regular	2022-23	42000	Virohan Private Limited	Medical Laboratory Technician	Self	17-10-2022 00:00	22-05-2023 00:00	7.2	19-09-2023	23-05-2023 00:00	29-05-2023 00:00	19-09-2023	19-09-2023
452	2145064	Regular	2022-23	42000	Virohan Private Limited	Medical Laboratory Technician	Self	17-10-2022 00:00	22-05-2023 00:00	7.2	19-09-2023	23-05-2023 00:00	29-05-2023 00:00	19-09-2023	19-09-2023
453	2145064	Regular	2022-23	42000	Virohan Private Limited	Medical Laboratory Technician	Self	17-10-2022 00:00	22-05-2023 00:00	7.2	19-09-2023	23-05-2023 00:00	29-05-2023 00:00	19-09-2023	19-09-2023

- Certificate not given [S. No.518]

S.No.	Batch Id	Batch Type	FY	Batchfee Total Fees	Organization Name	Course Name	Assessment Mode	Batch Start Date	Batch End Date	Course duration (Months)	Trained Date	Assessment Start Date	Assessment End Date	Assessment Date	Certified Date
518	2153253	Regular	2022-23	35000	Virohan Private Limited	Medical Laboratory Technician	Self	01-11-2022 00:00	06-06-2023 00:00	7.2	29-09-2023	07-06-2023 00:00	13-06-2023 00:00	29-09-2023	

ii. For Course duration greater than 1 year and less than 2 years

Certificate given [S. No.14]



S.No.	Batch Id	Batch Type	FY	Batchfee Total Fees	Organization Name	Course Name	Assessment Mode	Batch Start Date	Batch End Date	Course duration (Months)	Trained Date	Assessment Start Date	Assessment End Date	Assessment Date	Certified Date
14	2124309	Regular	2022-23	66000	Virohan Private Limited	Medical Laboratory Technician	Self	04-07-2022 00:00	18-07-2023 00:00	12.6	20-09-2023	19-07-2023 00:00	26-07-2023 00:00	20-09-2023	20-09-2023

Certificate not given [S. No.15]

S.No.	Batch Id	Batch Type	FY	Batchfee Total Fees	Organization Name	Course Name	Assessment Mode	Batch Start Date	Batch End Date	Course duration (Months)	Trained Date	Assessment Start Date	Assessment End Date	Assessment Date	Certified Date
15	2124309	Regular	2022-23	66000	Virohan Private Limited	Medical Laboratory Technician	Self	04-07-2022 00:00	18-07-2023 00:00	12.6		19-07-2023 00:00	26-07-2023 00:00		

iii. For Course duration greater than 2 year

Certificate given [S. No.23]

S.No.	Batch Id	Batch Type	FY	Batchfee Total Fees	Organization Name	Course Name	Assessment Mode	Batch Start Date	Batch End Date	Course duration (Months)	Trained Date	Assessment Start Date	Assessment End Date	Assessment Date	Certified Date
23	2121644	Regular	2022-23	149000	Virohan Private Limited	Medical Laboratory Technician	Self	11-07-2022 00:00	08-08-2024 00:00	25.3	27-09-2024	09-08-2024 00:00	15-08-2024 00:00	27-09-2024	27-09-2024

Certificate not given [S. No.22]

S.No.	Batch Id	Batch Type	FY	Batchfee Total Fees	Organization Name	Course Name	Assessment Mode	Batch Start Date	Batch End Date	Course duration (Months)	Trained Date	Assessment Start Date	Assessment End Date	Assessment Date	Certified Date
22	2121644	Regular	2022-23	149000	Virohan Private Limited	Medical Laboratory Technician	Self	11-07-2022 00:00	08-08-2024 00:00	25.3		09-08-2024 00:00	15-08-2024 00:00		

B. FOR FY2023-2024

i. For Course duration less than I year

Certificate given [S. No.350-353]

S.No.	Batch Id	Batch Type	FY	Batchfee Total Fees	Organization Name	Course Name	Assessment Mode	Batch Start Date	Batch End Date	Course duration (Months)	Trained Date	Assessment Start Date	Assessment End Date	Assessment Date	Certified Date
350	2521850	Regular	2023-24	51500	Virohan Private Limited	Medical Laboratory Technician	Self	28-03-2024 00:00	18-08-2024 00:00	4.8	27-09-2024	19-08-2024 00:00	20-08-2024 00:00	27-09-2024	27-09-2024
351	2521850	Regular	2023-24	51500	Virohan Private Limited	Medical Laboratory Technician	Self	28-03-2024 00:00	18-08-2024 00:00	4.8	27-09-2024	19-08-2024 00:00	20-08-2024 00:00	27-09-2024	27-09-2024
352	2521850	Regular	2023-24	51500	Virohan Private Limited	Medical Laboratory Technician	Self	28-03-2024 00:00	18-08-2024 00:00	4.8	27-09-2024	19-08-2024 00:00	20-08-2024 00:00	27-09-2024	27-09-2024
353	2521850	Regular	2023-24	51500	Virohan Private Limited	Medical Laboratory Technician	Self	28-03-2024 00:00	18-08-2024 00:00	4.8	27-09-2024	19-08-2024 00:00	20-08-2024 00:00	27-09-2024	27-09-2024



Certificate not given [S. No.354]

S.No.	Batch Id	Batch Type	FY	Batchfee Total Fees	Organization Name	Course Name	Assessment Mode	Batch Start Date	Batch End Date	Course duration (Months)	Trained Date	Assessment Start Date	Assessment End Date	Assessment Date	Certified Date
354	2521850	Regular	2023-24	51500	Virohan Private Limited	Medical Laboratory Technician	Self	28-03-2024 00:00	18-08-2024 00:00	4.8		19-08-2024 00:00	20-08-2024 00:00		

ii. For Course duration greater than 1 year

Certificate given [S. No.335]

S.No.	Batch Id	Batch Type	FY	Batchfee Total Fees	Organization Name	Course Name	Assessment Mode	Batch Start Date	Batch End Date	Course duration (Months)	Trained Date	Assessment Start Date	Assessment End Date	Assessment Date	Certified Date
335	2236544	Regular	2023-24	66000	Virohan Private Limited	Medical Laboratory Technician	Self	01-05-2023 00:00	14-05-2024 00:00	12.6	05-07-2024	15-05-2024 00:00	16-05-2024 00:00	05-07-2024	05-07-2024

Certificate not given [S. No.334]

S.No.	Batch Id	Batch Type	FY	Batchfee Total Fees	Organization Name	Course Name	Assessment Mode	Batch Start Date	Batch End Date	Course duration (Months)	Trained Date	Assessment Start Date	Assessment End Date	Assessment Date	Certified Date
334	2236544	Regular	2023-24	66000	Virohan Private Limited	Medical Laboratory Technician	Self	01-05-2023 00:00	14-05-2024 00:00	12.6		15-05-2024 00:00	16-05-2024 00:00		

40. Although the respondents have emphasized that the interim order applied only to the 2021–2022 session, it is pertinent to note that no objection whatsoever was raised by the respondents when the petitioners continued to admit students for the academic years 2022–2023 and 2023–2024. It was only at a significantly belated stage, through the counter affidavit dated 17.09.2024, that respondent no. 4 for the first time sought vacation of the interim relief, wherein the following averment was made:-

“6. It is submitted that the Petitioner is still running the deactivate qualifications from Health Sector Skill Council which have been removed from the National “Qualification Register under the garb of the interim stay order passed by this Hon'ble Court The Respondent No. 4 is not in a position to fund the qualifications which have been discontinued by the Respondent Nos. 1 to 3. Only those qualifications which are approved by Respondent Nos. 1 to 3 can be funded by Respondent No.4. Respondent No. 4 thus prays that the interim order may be vacated as it may have



cascading effect on the career of the students which have been enrolled under the programs and for whose benefit these programs have been carried out.

41. Furthermore, even if it is assumed that the said certificates for the students who were enrolled in year 2022 – 2023 and 2023 – 2024, were not issued by the respondent no. 4 and were merely downloaded by the petitioner, this Court cannot lose sight of the fact that no objection was raised by the respondent no. 4 with respect to the generation/downloading of the said certificates by the petitioner.

42. Such inconsistent and unequal treatment among similarly placed students cannot be sustained in law. Furthermore, the petitioner in W.P. (C) No. 3783 of 2021 has submitted that their students have already been issued certificates.

43. In ***Modified Voluntary Retirement Scheme of 2002 of Azam Jahi Mill Workers Association v. National Textile Corporation Limited & Ors*** the apex court has observed as under -

“9.2. Right to equality guaranteed under Article 14 of the Constitution of India is vested right in favour of the person who claims equality and parity and the same is enforceable against State / State instrumentalities in exercise of powers under Article 226 of the Constitution of India. We find no justification at all in treating 318 ex-employees different from those 134 ex-employees who were allotted 200 Sq. Yards of plots free of cost. We find that as such the equals are treated unequally and therefore, when the equals are treated unequally, there is a violation of Article 14 of the Constitution and therefore, the appellants were entitled to the relief sought even in exercise of powers under Article 226 of the Constitution of India.

9.3 The concept of equality before the law and equal protection of the laws emerges from the fundamental right expressed in Article 14 of the Constitution. Equality is a definite concept.

The concept of equality has an inherent limitation arising from the very nature of the constitutional guarantee. Those who are similarly



2025:DHC:7715



circumstanced are entitled to an equal treatment. Equality is amongst equals. Classification is therefore to be founded on substantial differences which distinguish persons grouped together from those left out of the groups and such differential attributes must bear in just and rational relation to the object sought to be achieved.

In a given case Article 14 of the Constitution may permit a valid classification. However, a classification to be followed must necessarily satisfy two tests. Firstly, the distinguishing rationale has to be based on a just objective and secondly, the choice of differentiating one set of persons from another must have a reasonable nexus to the objects sought to be achieved.”

44. Considering that the prayer in W.P. (C) No. 6141 of 2021 is confined to the issuance of certificates to 812 remaining students who have duly completed their course, and in light of the fact that certificates have already been issued to other students from the 2022–2023 and 2023–2024 batches, this Court finds it just and equitable to direct that certificates be issued to all students who have successfully completed the prescribed courses.

45. Since the certificates are to be downloaded from the SIDH portal, which is administered and controlled by respondent no. 4, the said respondent is directed to facilitate the petitioners in downloading the said certificates for all students who have completed their courses pursuant to the interim orders of this Court.

46. Respondent nos. 1 to 3 shall extend all necessary cooperation to respondent no. 4 for the issuance and authentication of the said certificates.

47. The above directions have been issued to safeguard the fundamental rights of the students, who have expended valuable time, effort and resources in pursuing the concerned courses. It would be wholly inequitable, unjust and unfair to leave the said students in the lurch, without even a certificate to show for their efforts, and despite the interim orders dated



2025:DHC:7715



06.07.2021 and 06.08.2021, under the aegis of which the students pursued the courses. Should the respondents be aggrieved by any aspect of the petitioners' conduct, they are at liberty to pursue appropriate remedies against the petitioner before a competent forum in accordance with law. Nevertheless, it is made clear that any action taken hereafter by the respondents shall not, in any manner, prejudice the certificates already issued to students for the academic years 2021– 2022, 2022-2023 and 2023-2024, nor shall it affect the issuance of certificates to the remaining 812 students in accordance with this Court's directions.

48. Accordingly, the writ petitions stand disposed of in terms of the above directions. The pending applications also stand disposed of.

SACHIN DATTA, J

SEPTEMBER 04, 2025/sv