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

+ **W.P.(C) 8535/2022, CM APPL. 25691/2022(Stay)**

AGGARWAL IMAGING CENTRE

..... Petitioner

Through: Mr. Pawan Prakash Pathak with Mr.
Monu Kumar, Advs.

versus

NCT OF DELHI

..... Respondent

Through: Mr. Karn Bhardwaj, ASC

CORAM:

HON'BLE MR. JUSTICE YASHWANT VARMA

ORDER

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27.05.2022

CM APPL. 25692/2022 (for exemption)

Allowed, subject to all just exceptions.

The application shall stand disposed of.

W.P.(C) 8535/2022, CM APPL. 25691/2022(Stay)

The petitioner is aggrieved by the order passed by the District Nodal Officer dated 18 May 2022 who has proceeded to record that the proposed assistant whose registration was sought by the petitioner does not possess the required qualification under the Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1994 [PC & PNDT Act]. Learned counsel for the petitioner contends that the proposed employee is a registered medical practitioner and holds a Post Graduate degree. It is submitted that insofar as the six months training as is contemplated under the PC & PNDT (Six Months Training) Rules, 2014 [2014 Rules] is concerned, the same could not be completed since the respondent is yet to designate and notify the



relevant institutes which would impart the same. It is in the aforesaid backdrop that it was contended that the assistant cannot be held responsible. Additionally, learned counsel submits that in any case the District Nodal Officer would have no jurisdiction to hold the assistant as disqualified.

Learned counsel appearing for the respondent on instructions apprises the Court that the Training Centres are to be notified shortly and therefore once the aforesaid exercise is completed, the assistant would be eligible to participate in the training process as also participate in the examination which is contemplated. Let a status report be placed on the record with respect to the steps that the respondent have taken for the purposes of giving effect to the 2014 Rules on or before the next date fixed.

List on 19.10.2022.

YASHWANT VARMA, J.

MAY 27, 2022
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