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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **LPA 197/2017**

S N SINGH RATHORE

..... Appellant

Through: Mr. Anil Singal, Advocate.

versus

DIRECTOR OF EDUCATION & ANR

..... Respondents

Through: Mr. Anuj Aggarwal, ASC with
Mr. Rao Khanad, Advocate for R-1.
Mr. Manoj V. George, Mr. K.M.
Vignesh Ram and Ms. Ashita Arora,
Advocates for R-2.

CORAM:

JUSTICE S. MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

% **27.11.2018**

CM APPL. 10828/2017 (delay)

1. For the reasons stated in the application, the delay in filing the appeal is condoned and the application is disposed of.

LPA 197/2017

2. A short question in the present case is whether the Petitioner possessed the requisite qualifications for being appointed as Physical Education Teacher (PET) at a school in Delhi. Admittedly, the requisite basic qualification for a direct recruit PET has been specified as “Graduate from a recognized University with diploma in Physical Training from a recognized Inst./University” or “BP.Ed from a recognized University and Higher Secondary” or “B.Sc. (Physical Education, Health Education Sports) or its

equivalent from a recognized Institute/University”.

3. The Petitioner was an ex-serviceman. According to learned counsel the Petitioner satisfies the third alternate qualification, i.e. ‘B.Sc. (Physical Education, Health Education Sports) or its equivalent from a recognized Institute/University.’ In support of his plea, he refers to a circular dated 2nd April 1975 issued by the Ministry of Education and Social Welfare, Department of Education, Government of India on the subject of “Physical Education: Equivalence of the physical education training programmes of the Army/navy/air force with Certificate Course in physical education of the civilian physical education training institution for purpose of employment as physical education teachers”.

4. The above letter does not, in any manner, indicate that undergoing the physical education training programme of the Army/Navy/Air Force would be equivalent to a acquiring B.Sc. (Physical Education) from a “recognized Institute/University”. Consequently, the Petitioner cannot take advantage of the aforementioned circular and contend that he satisfies the basic qualification for being appointed as a PET.

5. The Court finds no reason to interfere with the judgment of the learned Single Judge. The appeal is dismissed.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

NOVEMBER 27, 2018/nk