



**126 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

CWP No.23807 of 2025 (O&M)

Date of Decision: 19.08.2025

MANDEEP KAUR AND OTHERS

.....Petitioners

Versus

THE STATE OF PUNJAB AND OTHERS

.....Respondents

**CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**  
**HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr. Lakhwinder Singh Sidhu, Advocate,  
for the petitioners.

Mr. A.S. Khara, Sr. DAG, Punjab.

\* \* \* \* \*

**ANUPINDER SINGH GREWAL, J. (Oral)**

The petitioners have challenged the Punjab Educational (Teaching Cadre) Group C Service (Second Amendment) Rules, 2025 (hereinafter as referred to 'the Rules of 2025') (Annexure P-6) to the extent of imposition of the condition of 55% minimum marks in graduation.

2. Learned counsel for the petitioners submits that the petitioners are the Special Educators and have acquired the Degree of Bachelor of Education in Special Education (B.Ed Spl. Ed.). The respondents in the year 2020 had relaxed the Punjab Educational (Teaching Cadre) Group C Service Rules, 2018 (hereinafter referred to as 'the Service Rules, 2018') by carrying out the amendment by notification dated 26.02.2020, whereby the candidates who had passed the graduation with 45% marks were made eligible for appointment to the post of Master Cadre (General). He further



submits that the petitioners are also similarly situated with those who had been granted the afore-noted relaxation and therefore, the Rules of 2025 are arbitrary and discriminatory to the extent that relaxation in rules has not been granted.

3. Heard.

4. The petitioners have challenged the Rules of 2025, whereby the essential eligibility for the post of Special Educator Teacher (Master Cadre) has been set out as minimum 55% marks in graduation from a recognized University in the case of General category. It is true that in the year 2020, a relaxation in the Service Rules, 2018 was provided to the candidates at the time of inviting applications to the post of Master Cadre, only for the purpose of filling the backlog and new vacancies. However, a perusal of the amendment of 2020 to the Service Rules, 2018 indicates that the relaxation providing only 45% marks in the graduation for candidates applying under the General category was a one time measure and applicable only till 01.04.2022. This amendment was carried out in order to remove the hardship of those candidates, who had acquired the said qualification as per the previous rules. The relevant extract of the amendment Rules, 2020 is reproduced hereunder:

*“3. In the said rules, in rule 6,  
(i) for sub-rule (2), the following sub-rule shall be substituted, namely:-  
“(2) No person shall be appointed to a post in the Service unless he possesses the qualification and experience as specified against a post in Appendix-B’:  
Provided that the candidates, who have secured the following marks in Graduation,-  
(i) forty-five percent marks in the case of General Category candidates; and*



*(ii) forty percent marks in the case of scheduled castes, scheduled Tribes, other Backward Classes, Backward Classes and Physically Handicapped candidates, shall be considered for appointment into the Service under these rules, as a one-time measure till the 1st day of April, 2022, in order to remove the hardship of such candidates, who have acquired the said qualification as per the previous rules."; and xxx xxx"*

5. Thereafter, the respondents have formulated the Rules of 2025 wherein the essential qualification has been set out for the post of Special Educator Teacher (Master cadre) and the candidates who have secured at least 55% marks in the graduation from a recognized University are eligible to apply under the General category in addition to the Degree or Diploma of Bachelor of Education in Special Education.

6. The petitioners who meet the other requirements as per the Rules of 2025 have sought relief in the instant writ petition to extend the benefit of relaxation of minimum marks in the graduation as provided in the earlier amendment of 2020 in the Rules. However, it is not for this Court to direct the respondents to relax the eligibility criteria, which had been done as a one time measure 05 years ago. The provision requiring minimum marks of 55% in graduation does not appear to be unreasonable. It is settled law that the academic bodies have autonomy to lay down the eligibility criteria for the advertised posts, and the Courts shall not ordinarily interfere unless the criteria is wholly arbitrary or discriminatory. Reference can be made to the judgment of the Supreme Court in the case of ***Maharashtra Public Service Commission through its Secretary Vs. Sandeep Shriram Warde and others, Civil Appeal No.4597 of 2019***. The relevant extract of



the judgment is reproduced hereunder:-

*“10. The essential qualifications for appointment to a post are for the employer to decide. The employer may prescribe additional or desirable qualifications, including any grant of preference. It is the employer who is best suited to decide the requirements a candidate must possess according to the needs of the employer and the nature of work. The court cannot lay down the conditions of eligibility, much less can it delve into the issue with regard to desirable qualifications being at par with the essential eligibility by an interpretive re-writing of the advertisement. Questions of equivalence will also fall outside the domain of judicial review. If the language of the advertisement and the rules are clear, the Court cannot sit in judgment over the same. If there is an ambiguity in the advertisement or it is contrary to any rules or law the matter has to go back to the appointing authority after appropriate orders, to proceed in accordance with law. In no case can the Court, in the garb of judicial review, sit in the chair of the appointing authority to decide what is best for the employer and interpret the conditions of the advertisement contrary to the plain language of the same.”*

Therefore we are of the considered view that there is no illegality in the Rules of 2025 providing a minimum of 55% marks in graduation as essential requirement for the post of Special Educator Teacher (Master cadre).

7. In view of the above, we do not find any merit in this petition, which stands dismissed.

**(ANUPINDER SINGH GREWAL)**  
**JUDGE**

**(DEEPAK MANCHANDA)**  
**JUDGE**

**19.08.2025**  
sandeep

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No