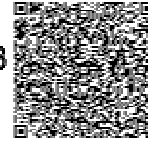


2025:PHHC:105289-DB

LPA-1980-2023 (O&M)
Date of Decision: 13.08.2025

Richa

...Appellant

Vs.

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. Rajeshwar Singh Thakur, Advocate for the appellant.

Mr. Pankaj Midha, Addl. AG, Haryana.

Mr. Kanwal Goyal, Advocate for HPSC.

ASHWANI KUMAR MISHRA, J. (Oral)

1. The appellant is aggrieved by the dismissal of her writ petition by the learned Single Bench, whereby her candidature for appointment to the post of PGT in Physical Education, has been rejected on account of lack of qualification.

2. The advertisement issued by the Haryana Public Service Commission specifies the qualification required to be possessed by a candidate for PGT in Physical Education. One of the qualifications required is the certificate of Haryana Teacher Eligibility Test (HTET)/School Teachers Eligibility Test (STET). This requirement of qualification is in consonance with the applicable rules for recruitment to the post in question.

3. The learned Single Bench has rejected the claim of the appellant by observing as under:-

“2. One of the essential qualifications for the advertised post of PGT Physical Education as per the Haryana State Education School Cadre (Group-B) Service Rules, 2012, is to pass HTET Level 3 examination. Learned counsel is not in a position to dispute that the petitioner has not passed the said examination, instead she has HTET Level 2 certificate, which only entitles her to recruitment on the post of TGT Physical Education and not on the post advertised vide the instant advertisement. It has already been held by this Court in CWP No.15802 of 2023 titled Monika and others v. State of Haryana and another, that the Commission is within its rights to prescribe qualifications of HTET based on the statutory service rules, 2012.”

4. Learned counsel for the appellant contends that the advertisement as well as rules does not specify that HTET certificate has to be of a particular level and since the appellant has passed HTET test of Level-2, as such, he ought to be treated as qualified for appointment to the post of PGT in Physical Education.

5. Learned State counsel as well as counsel for the Commission opposes the contention of the appellant on the ground that the HTET test is structured for different categories of teachers in the State of Haryana. Level-1 is meant for teachers who are to be appointed in the primary section; Level-2 test is required to be passed for teachers who are to be appointed on the post of TGT while Level-3 is contemplated for appointment to the post of PGT. It is submitted that since the appellant is not having HTET qualification meant for PGT examination, therefore, her candidature has rightly been discarded.

6. In the writ petition, the appellant herself has stated in paragraph No.3 as under:-

“That the petitioner is duly qualified to compete for the said posts and had the required qualification of M.Ped but did not possess the qualification of HTET Level-3 and having HTET

Level-2 and have applied for the HTET Level-3 Examination which was to be conducted in December, 2023 as earlier also the same relaxation has been given to the candidates.”

7. The appellant is clearly aware of the fact that HTET certificate of Level-3 is required for appointment to the post of PGT in Physical Education. She has herself admitted that she has passed the HTET test for TGT course and has applied for appearing in HTET Level-3 examination, which is meant for PGT. Merely because the advertisement or the rules do not specify that HTET examination, with reference to the level for which teachers have to be appointed, it would not be open to contend that a person possessing HTET examination for lower level, would become entitled to apply for appointment to a higher level. Undisputedly TGT is a lower post, whereas PGT in Physical Education is a higher post.

8. In such view of the matter, we find that the learned Single Bench has rightly rejected the claim of the appellant. The appeal fails and is accordingly dismissed.

9. The petition stands disposed of, accordingly.

5. All pending misc. application(s), if any, also stand disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

13.08.2025
rajesh

1. Whether speaking/reasoned?	:	Yes/No
2. Whether reportable?	:	Yes/No