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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 3898/2025**

SONIKA PRANVEER

.....Petitioner

Through: Mr. R.R. Jangu & Mr. K.R. Jangu,
Advocate alongwith Petitioner in
Person. [M:-995320216]

versus

**NATIONAL EDUCATION SOCIETY FOR
TRIBAL STUDENTS & ORS.**

.....Respondents

Through: Mr. Somesh Chandra Jha & Mr.
Akash Kishore, Advocates for
NESTS. [M:-9654659775]

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER
28.03.2025

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CM APPL. 18123/2025 (*exemption*)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 3898/2025 & CM APPL. 18122/2025 (*stay*)

1. The petitioner applied for appointment as Trained Graduate Teacher ["TGT"] (Maths) pursuant to a recruitment notice issued by the respondent No. 1- National Education Society for Tribal Students ["NESTS"] - for various posts in the Eklavya Model Residential School ["EMRS"].
2. The petitioner was called for written examination, in which she was successful. By a communication dated 01.06.2024, she was offered



appointment to the post of TGT (Maths), subject to document verification, and was posted to the EMRS, Sailana, Madhya Pradesh.

3. The petitioner joined her duties on 21.06.2024.

4. She was thereafter issued a memorandum dated 29.08.2024, in which it was contended that she does not possess the essential educational qualification prescribed for the post, and she was required to show cause as to why appropriate action, including removal from service/withdrawal of offer of appointment, should not be taken against her.

5. The petitioner replied on the same day, i.e., 29.08.2024 through e-mail. However, by the impugned order dated 11.02.2025, the offer of appointment has been withdrawn, holding that she could not prove that she had the requisite essential education qualification prior to the cut-off date as per the notification dated 18.07.2023.

6. Having heard R.R. Jangu, learned counsel for the petitioner, and Mr. Somesh Chandra Jha, learned counsel for the NESTS, I am of the view that this writ petition can be disposed of on the short ground that the reasons for the decision taken against the petitioner are not evident, either in the show cause notice or in the final order passed by the respondent. While several essential qualifications have been laid down in the advertisement for the concerned post, both the show cause notice and the impugned order are cryptic as to the specific ground for the proposed action against the petitioner.

7. The advertisement required the petitioner to state her qualifications, and it is not contended that she made any misrepresentation in this regard. She was first issued a memorandum dated 01.02.2024 calling her for document verification, in which she participated. It is only after this



verification that the letter of appointment dated 01.06.2024 was issued to her. This letter once again provided for document verification prior to joining, which was also undertaken. The show cause notice, on the other hand, refers generically to the fact that the petitioner did not possess the essential education qualification, but the deficiency or discrepancy has not been explicitly identified. In fact, the petitioner's response dated 29.08.2024 shows that she understood the discrepancy to be with regard to the date on which she obtained her B.Ed degree, whereas Mr. Jha states that the same was not the ground of consideration at all.

8. In the impugned order also, a statement is made that the petitioner's response did not provide any valid explanation in the matter and that she was unable to prove that she had the requisite essential education qualification prior to cut-off date. This is once again a recitation of a conclusion, rather than an expression of reasons.

9. Having regard to the aforesaid, the order dated 11.02.2025 is set aside. The respondents are, however, free to take action in respect of the petitioner's appointment as permissible in law.

10. I am informed that, consequent upon the order dated 11.02.2025, the Principal of the concerned school has issued a communication dated 12.02.2025, directing the petitioner not to join the school. As the parent order has been set aside, this order will obviously have no legal effect, until and unless any further action is taken by the respondent in accordance with law.

11. Mr. Jha is requested to convey this order to the respondent-NESTS in the course of the day.



12. The writ petition, alongwith the pending application, is disposed of with these observations.

PRATEEK JALAN, J

MARCH 28, 2025

'pv/JM'/'