



\$~82 and 86

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

+ W.P.(C) 9002/2024 & CM APPL. 36906/2024
SATENDER KUMAR SAHUPetitioner

versus

NATIONAL EDUCATION SOCIETY FOR TRIBAL
STUDENTS & ANR.Respondents

+ W.P.(C) 9059/2024 & CM APPL. 37028/2024
YASHWANT YADAVPetitioner

versus

NATIONAL EDUCATION SOCIETY FOR TRIBAL
STUDENTS & ANR.Respondents

Appearances:

Mr. Anuj Aggarwal, Ms. Kritika Matta, Mr. Nihil Pawar, Mr. Pradeep Kumar, Mr. Manas Verma, Ms. Divya Aggarwal, Advocates for petitioners.

Mr. Chetanya Puri, Mr. Kartikya Birat, Mr. Anand Awasthi, Advocates for UoI in item No. 82.

Mr. N. Balraj, SPC with Ms. Meghna Rao, Mr. Harshit Goel, Advocates for UoI in item No. 86.

Mr. Amartya Ashish Sharan, Advocate for NESTS.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **14.05.2025**

1. These petitions have been filed by candidates for appointment to different posts [Post Graduate Teacher (Hindi) in W.P.(C) 9002/2024 & Trained Graduate Teacher (Social Studies) in W.P.(C) 9059/2024],



pursuant to an advertisement issued by respondent–National Education Society for Tribal Students, Delhi [“NESTS”] in the year 2023.

2. The petitioners applied in the reserved category of Persons with Benchmark Disability (Visually Impaired) [“PwBD (VI)”]. Their candidatures have been rejected by NESTS on the ground that their disability is not under the category as listed in the advertisement.

3. Learned counsel for the parties submit that these two writ petitions are covered by the order of this Court in *Preeti Sharma vs. National Education Society for Tribal Students & connected matters* [W.P.(C) 10017/2024, dated 25.04.2025].

4. In the said order, the Court was concerned with candidature of PwBD (VI), in the sub category of “*Blind (B)*”. The candidatures of the petitioners therein had been rejected on the ground that persons falling within the sub-category of “*Blind (B)*”, instead of “*Low Vision (LV)*”, *albeit* within the broader category of “*VI*”, did not satisfy the requirements of the post. NESTS had submitted that this objection was being withdrawn on a consideration of the reservation category mentioned in the advertisement, and the applicable office memorandums. However, in view of certain other objections with regard to the petitioners’ educational qualifications, the writ petitions were disposed of with the following directions:

“9. As far as these petitioners are concerned, therefore, they are directed to submit representation to NESTS within two weeks from today with supporting documents. NESTS will consider those representations, if necessary, by constitution of appropriate committee (s) and, if required, may also seek clarifications from the educational institutions/statutory authorities which have awarded the qualifications in question. Any further documents or clarifications may also be sought from the candidates themselves, and the candidates will be



called for a personal hearing, if any adverse decision is proposed. The decision be communicated to the concerned candidates within eight weeks from today. The rights and remedies of the petitioners remain reserved.”

5. As the petitioners’ candidatures in the present petitions have been rejected on the same basis, Mr. Amartya Ashish Sharan, learned counsel for NESTS, submits that the objection on the basis of the category of their disability will stand withdrawn, and their candidatures will be considered upon satisfaction of the other eligibility conditions.

6. These writ petitions, alongwith pending applications, are disposed of in terms of the above submissions, and with the directions contained in paragraph 9 of order dated 25.04.2025.

PRATEEK JALAN, J

MAY 14, 2025

“Bhupi”/AD/