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

+ **W.P.(C) 10161/2025 & CM APPL. 42227/2025 (stay)**

SHILPI MAURYA

.....Petitioner

Through: Mr. S.K. Rungta, Sr Adv with Mr.
Prashant Singh, Adv

versus

**NATIONAL EDUCATION SOCIETY FOR TRIBAL
STUDENTS AND ORS**

.....Respondents

Through: Mr. Amartya A. Sharan, Adv

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **18.07.2025**

1. The petitioner was a candidate for the post of Trained Graduate Teacher [“TGT”] (Hindi), in the category of Persons with Disability [Visually Impaired], in terms of an advertisement issued by respondent No.1-National Education Society for Tribal Students [“NESTS”] in the year 2023.
2. Although, the petitioner qualified in the written examination, her candidature was ultimately rejected by a communication of NESTS dated 24.06.2024, on the ground that the disability was not in the category mentioned for the post of TGT (Hindi).
3. I have heard Mr. S.K. Rungta, learned Senior Counsel for the petitioner, and Mr. Amartya A. Sharan, learned counsel for NESTS, who appears on advance notice.
4. Mr. Sharan states, upon instructions, that NESTS does not wish to



press the ground with respect to the nature of the petitioner's disability. Upon reconsideration, it has been found that the petitioner's disability certificate, which certifies that she suffers from 100% blindness, qualifies as an identified disability. However, Mr. Sharan submits that the petitioner has approached this Court only now, when the vacancies in the posts of TGT (Hindi) have already been filled and the wait list is in operation.

5. Having regard to the fact that the impugned communication of NESTS rests only upon the nature of the petitioner's disability, I am of the view that the question of eligibility in terms of educational qualifications need not detain us at this stage. The appropriate course would be for the respondent to consider the question of her eligibility. In a substantially similar case, this Court in *Preeti Sharma v National Education Society for Tribal Students and connected matters* [WP (C) 10017/2024, dated 25.04.2025], passed 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."

9. The petitioner's case will be also governed by the same order. In view of the fact that the vacancies have, according to Mr. Sharan, already been filled and the wait list is in operation, it is made clear that even if the



petitioner is eligible, NESTS is not being directed to issue appointment/posting order at this stage. However, if the petitioner is otherwise eligible, NESTS will add her name to the wait list at the appropriate place.

10. Mr. Rungta is also agreeable to disposal of the writ petition in terms of the above order.

11. The writ petition is disposed of in the aforesaid terms. The pending application is also disposed of.

PRATEEK JALAN, J

JULY 18, 2025
SK/AD/