



2025:DHC:11730-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of decision: 22.12.2025***+ **W.P.(C) 19399/2025 & CM APPLs. 80851-52/2025****ATUL SHARMA & ORS.**

.....Petitioners

Through: Mr.Anuj Aggarwal, Mr.Nikhil
Pawar, Ms.Kritika Matta,
Ms.Tanya Rose, Ms.Bhumica
Kundra, Mr.Pradeep Kumar,
Advs.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr.Chandan Deep Singh, SPC,
Ms.Rupali Sinha, GP for R-1.
Mr.S.Rajappa, Mr.R.
Gowrishankar, Ms.
G.Dhiviyasri, Advs. for R-3 &
R-4.**CORAM:****HON'BLE MR. JUSTICE NAVIN CHAWLA****HON'BLE MS. JUSTICE MADHU JAIN****NAVIN CHAWLA, J. (ORAL)**

1. This petition has been filed by the petitioners, challenging the Order dated 12.12.2025 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the 'Tribunal') in O.A. No.4730/2025, titled *Atul Sharma & Ors. v. Union of India & Ors.*, whereby the learned Tribunal dismissed the said O.A. filed by the petitioners herein.

2. The petitioners had filed the above O.A., praying for the



following reliefs:

“It is, therefore, most humbly prayed that this p resent Original Application be allowed and appropriate order and directions be issued to the respondents for deleting/doing away with the condition of being C.T.E.T. qualified f or Special Teachers/Educators as the same is contrary to the rules framed by the Rehabilitation Council of India & also for consideration of the candidature of the applicant(s) not possessing the qualification of Central Teacher Eligibility Test (C. T.E. T.) due to non-conduct of the same in the year 2025 under the recruitment notification 01/2025 f or recruitment of various teaching & non-teaching posts in Kendriya Vidyalaya Sangathan and Navodaya Vidyalaya Samiti or in the alternative;

The applicant(s) be permitted to appear in the recruitment examination under the notification 01/2025 f or recruitment of various teaching & non-teaching posts in Kendriya Vidyalaya Sangathan and Navodaya Vidyalaya Samiti and their candidature be considered as 'Appearing in C. T.E. T. category and appropriate time be granted to them for procuring the qualification of C. T.E. T. qualified i.e. till the document verification process/stage commences.

The Any other order(s) or direction which this Hon'ble Tribunal may deem just and proper in the facts and circumstances of the present case may kindly also be passed in favour of the humble applicant(s).”

3. The learned counsel for the petitioners submits that the learned Tribunal, though took note of the fact that in the year 2025 the CBSE (the respondent no.2 herein) did not conduct the Central Teacher Eligibility Test (CTET), which is an essential qualification for



applying to the post of Special Educator (TGT) as advertised by the respondent no.4 (KVS), erred in holding that the petitioners, who are otherwise eligible for the said post, could be denied the opportunity to participate in the recruitment process.

4. Placing reliance on the Order dated 21.08.2019, passed by this Court in W.P. (C) 9040/2019, titled ***Praveen Khatri & Ors. v. Govt. of NCT of Delhi & Ors.***, the learned counsel for the petitioners submits that this Court, taking into account the large number of vacant posts of Special Educator and the urgent need to fill up the same, had directed the relevant authority therein, that is, the Hon'ble Lieutenant Governor of Delhi, to take a decision as to whether a one-time relaxation could be granted to the candidates, especially keeping in view the fact that for two years prior thereto the CBSE had not conducted the CTET Examination. Pursuant thereto, the Hon'ble Lieutenant Governor of Delhi was pleased to grant a one-time relaxation in the CTET qualification to otherwise eligible candidates who had obtained the CTET qualification after the cut-off date but prior to their appointment.

5. He submits that a similar situation arises in the present case inasmuch as the CTET Examination was not conducted in the year 2025, thereby rendering several candidates, including the petitioners, ineligible to participate in the recruitment process initiated by the respondent no.4 (KVS).

6. He further submits that the Supreme Court in ***Rajneesh Kumar Panday & Ors. v. Union of India & Ors.***, (2021) 17 SCC 1, has also highlighted the acute dearth of Special Educators and issued directions



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to the concerned authorities to coordinate amongst themselves to ensure that these posts are filled. He submits that this object would be defeated if a one-time relaxation is not granted in the recruitment process initiated by respondent no. 4.

7. On the other hand, learned counsel for respondent no. 4 (KVS) submits that there is no challenge to the advertisement or to the mandatory condition requiring a candidate to qualify the CTET examination for participation in the recruitment process. Placing reliance on the Order dated 25.11.2025 passed by the Supreme Court in **Rajneesh Kumar Panday & Ors.** (supra), he submits that the Supreme Court has also directed that no candidate shall be appointed unless he/she possess the TET qualification. He submits that, in these facts, no fault can be found with the order passed by the learned Tribunal.

8. We have considered the submissions made by the learned counsels for the parties.

9. While there can be no doubt that for appointment to the post of Special Educator (TGT), a candidate must possess the CTET qualification, candidates such as the petitioners, who are otherwise eligible to apply for the said post, would stand excluded from the recruitment process initiated by respondent no. 4 (KVS), solely because the respondent no. 2, that is, the CBSE, failed to conduct the CTET examination for the year 2025. This may be an unfair exclusion of the petitioners, but it is not for this Court to determine whether a one-time relaxation can be granted to such candidates to enable them to acquire this qualification before the completion of the recruitment



process.

10. We are informed that the CBSE has now declared that it would conduct the CTET examination in February 2026.

11. It would, therefore, be for the recruiting authority, namely, respondent no. 4 (KVS), to consider the mandate of filling up the posts of Special Educator (TGT) and to balance the same with the requirement of possessing the CTET qualification before the cut-off date. This would depend upon the number of applications received in the present recruitment process and whether the recruiting authority expects to fill all the advertised posts. Other relevant factors would also need to be considered by the respondent no. 4 for taking an informed decision in this regard.

12. In view of the above, while we do not find any reason to interfere with the impugned order passed by the learned Tribunal, we call upon the respondent no. 4 (KVS) to take an informed decision as to whether the candidates who could not obtain the CTET qualification solely because the examination was not conducted by respondent no. 2 (CBSE) in the year 2025, can be granted a one-time relaxation to the effect that they must obtain such qualification in the first examination conducted thereafter.

13. Keeping in view the urgency of the said decision, we call upon the respondent no. 4 (KVS) to consider this issue and to take an informed decision thereon, which shall also be duly publicised, within a period of two weeks from today.

14. The petition is disposed of in the above terms. The pending applications are also disposed of accordingly.



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15. We make it clear that we have not directed the respondent no.4 (KVS) to take a decision in the matter one way or the other. The decision is being left to be taken by the respondent no. 4 (KVS) in accordance with law.

16. A copy of this order be given *dasti* under the signatures of the Court Master.

NAVIN CHAWLA, J

MADHU JAIN, J

DECEMBER 22, 2025/Arya/DG