



**CWP-33833-2025 and CWP-322-2026**

**:1:**

**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**236(2 cases)**

**CWP-33833-2025 (O&M)**

**NEMPAL SINGH AND ORS**

**..... Petitioners**

**VERSUS**

**STATE OF PUNJAB AND ORS**

**..... Respondents**

**2.**

**CWP-322-2026 (O&M)**

**Date of decision : 16.02.2026**

**RAJINDER KAUR AND ORS**

**..... Petitioners**

**VERSUS**

**STATE OF PUNJAB AND ANOTHER**

**..... Respondents**

**CORAM : HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA**

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Present :- Mr. Parvesh K. Saini, Advocate with  
Mr. Ashutosh Bhardwaj, Mr. Budhadev Maity and  
Ms. Akshita Nanda, Advocate  
for the petitioners in CWP-33833-2025.

Mr. Arjun Shukla, Advocate (through VC) with  
Mr. Abhimkanyu Kaushal, Advocate  
for the petitioners in CWP-322-2026.

Ms. Anu Chatrath, Senior Additional AG, Punjab with  
Ms. Neha Sonawane, DAG, Punjab.

Mr. Anurag Chopra, Advocate with  
Ms. Himani Jamwal, Advocate and  
Mr. Harmeet Singh, Advocate  
for the intervener.

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:2:

**Deepinder Singh Nalwa, J. (Oral)**

1. By this common order, two writ petitions, the details of which have been given in the heading, are being decided, as both these petitions involve the same question of law based on similar facts and the facts are being taken from CWP-33833-2025.

2. In the present writ petition, the petitioners are praying for issuance of a direction to the respondents-Education Department not to consider any ETT teacher appointed prior to 23.08.2010 for the purpose of promotion to the post of Master/Mistress, who does not possess the Punjab State Teacher Eligibility Test 2 (PSTET-2) pass certificate, while, on the other hand, teachers appointed subsequent to 23.08.2010 (including petitioners) are mandatorily required to possess the PSTET-2 pass certificate, for being considered for promotion to the post of Master/Mistress, as the same is in direct contravention of Section 23 of the “Right of Children to Free and Compulsory Education Act, 2009” and the judgment passed by Hon'ble the Supreme Court in case tilted as “**Anjuman Ishaat E.Taleen Trust Vs. The State of Maharashtra and others, 2025 SCC Online SC 1912, dated 01.09.2025** (Annexure P-5).

3. Learned Senior counsel appearing on behalf of State, on instructions from Mr. Shashi Gagg, Assistant Registrar (Legal) O/o D.S.E (S), Punjab, Mohali, submits that in light of the aforesaid judgment of Hon'ble the Supreme Court, the letter dated 14.09.2017 (Annexure P-8) has been withdrawn. Learned counsel further submits that in view of the judgment of Hon'ble the Supreme Court of India in case **Anjuman Ishaat**

**E.Taleen Trust** (supra), the Department has decided not to proceed to



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promote the employees in the Master Cadre without compliance of the mandatory requirement of passing the Teachers Eligibility Test and that all eligible teachers, including those who were promoted vide orders dated 12.11.2025, 24.12.2025 and 05.01.2026, will be promoted if found eligible upon passing the Teachers Eligibility Test.

4. Learned counsel appearing on behalf of the petitioners submit that in light of the statement given by the learned senior counsel appearing on behalf of the respondents, the present writ petition be disposed of with a liberty to challenge the decision of the department, in accordance with law.

5. In view of the above, the present writ petition are disposed of, with the aforesaid liberty.

6. Pending application(s), if any, shall also stand(s) disposed of accordingly.

**(DEEPINDER SINGH NALWA)**  
**JUDGE**

**16.02.2026**  
Rimpal

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable :      | Yes/No |