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

+ **W.P.(C) 4604/2026**

MRS. SAROJ

.....Petitioner

Through: **Mr. Abhay, Advocate.**

versus

**UNION OF INDIA, THROUGH SECRETARY, MINISTRY OF
TRIBAL AFFAIRS & ANR.**

.....Respondents

Through: **Mr. Ishkaran Singh Bhandari, CGSC
with Mr. Piyush Yadav, Advocates
for R-1 & 2.**

**Mr. Somesh Chandra Jha, Advocate
for R-2.**

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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08.04.2026

1. This petition impugns the final result dated 05th May, 2025, whereby the Petitioner's candidature for the post of TGT (Social Science) under the EMRS Staff Selection Examination (ESSE-2023) has been excluded.
2. The principal issue that arises for consideration pertains to the equivalence of the qualification of B.Ed. (Special Education), recognised by the Rehabilitation Council of India ("RCI"), with a B.Ed. degree as prescribed under the recruitment notification issued by Respondent No. 2.
3. Counsel for the Petitioner places reliance upon the judgment of the Division Bench of this Court in **GNCTD & Ors. v. Uma Rani & Ors.**,¹ to

¹ In *W.P.(C) 700/2023*, decided on 05th December, 2025.



contend that in the absence of any express exclusion in the advertisement, candidates possessing B.Ed. (Special Education) cannot be denied consideration.

4. *Per contra*, counsel for the Respondents submits that the judgment in ***Uma Rani***, proceeded on the basis of the NCTE Regulations, 2001, which now stand superseded by the NCTE Regulations, 2014 governing the field. He further relies on subsequent clarifications/circulars issued by NCTE, indicating that B.Ed. (Special Education) is not to be treated as equivalent to B.Ed. (General) for appointment in regular schools. Reliance is also placed on the order of this Court dated 23rd March, 2026 in *W.P.(C) 33/2026*, where the aforesaid position has been noted in the context of a similar controversy.

5. In view of the above, counsel for the Petitioner submits that he seeks to adopt a similar course as was taken in *W.P.(C) 33/2026*, and accordingly prays for leave to withdraw the present petition with liberty to avail appropriate remedies in accordance with law, including laying a challenge to the relevant regulatory framework.

6. Leave and liberty, as prayed for, are granted.

7. The petition is accordingly dismissed as withdrawn, along with pending application(s), if any.

8. It is clarified that this Court has not examined the merits of the case. All rights and contentions of the parties are left open. Any observations made herein shall not be construed as an expression of opinion on the merits of the case.

SANJEEV NARULA, J

APRIL 8, 2026/ab