



\$~55

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

+ **W.P.(C) 4776/2026**

SANDHYA V N

.....Petitioner

Through: Mr. Geo Joseph, Ms. Lakshita Negi,
Advocates.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr. Mahendra Vikram Singh, SPC
along with Mr. Sanjay Misra,
Advocates and Mr. Harshit Joshi, GP
for UOI.
Mr. Somesh Chandra Jha, Mr.
Animesh Rajoria, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **10.04.2026**

CM APPL. 23341/2026 (exemption)

1. Exemption is granted, subject to all just exceptions.
2. The Applicant shall file legible and clearer copies of exempted documents, compliant with practice rules, before the next date of hearing.
3. Accordingly, the application stands disposed of.

W.P.(C) 4776/2026

4. The Petitioner assails the order dated 15th January, 2026, whereby Respondent No. 2 rejected her representation dated 19th December, 2025 and maintained the decision not to permit her to appear in the interview for the post of Principal under the EMRS Staff Selection Examination, 2023.

W.P.(C) 4776/2026

Page 1 of 8



Facts

5. Respondent No. 2, i.e., the National Education Society for Tribal Students (“NESTS”), an autonomous organisation under the Ministry of Tribal Affairs, issued an advertisement dated 28th June, 2023 inviting applications for recruitment to various teaching and non-teaching posts under ESSE-2023. The present challenge is confined to the post of Principal, for which the prescribed qualifications are as follows:

Post	Age limit	Qualification and Experience
Principal	Not exceeding 50 years. Age relaxation for SC/ST/OBC and other categories as applicable under the Govt. of India Rules. Up to 55 years for EMRS employees*	Essential Qualification: A. Academic: i) Master's Degree from recognized University/Institute ii) B.Ed. degree B. Experience: Persons having 12 years of combined experience as Vice Principal/PGT/TGT with minimum 4 years as PGT and above DESIRABLE: 1. Experience of working in a fully residential school. 2. Proficiency in English, Hindi and Regional Language. 3. Working knowledge of computers.

6. The Petitioner claims to be fully qualified for the said post and asserts that she possesses over 18 years of teaching experience as a Higher Secondary School Teacher (“HSST”) in the State of Kerala, which, according to her, is equivalent to the post of Post Graduate Teacher (“PGT”). She applied pursuant to the aforesaid advertisement and, upon qualifying the written examination, was shortlisted for interview. However, at the stage of document verification conducted prior to the interview scheduled on 21st February, 2024, the Petitioner was informed that she did not fulfil the essential experience requirement and was consequently not permitted to participate in the interview. Aggrieved thereby, the Petitioner approached this Court by way of *W.P.(C) 17184/2024*, which was disposed



of by order dated 5th December, 2025, granting liberty to the Petitioner to submit a detailed representation along with supporting documents, to be considered by the Respondents by way of a reasoned and speaking order.

7. Pursuant thereto, the Petitioner submitted a representation dated 19th December, 2025, which came to be rejected by the impugned order dated 15th January, 2026. By the said order, Respondent No. 2 considered the periods of service furnished by the Petitioner, tabulated the dates of engagement along with the corresponding number of days, and concluded that the Petitioner had rendered a total of 2743 days of service, which was treated as approximately 7.5 years by adopting a calendar-year basis. On that basis, it was held that the Petitioner did not satisfy the requirement of 12 years' combined experience as Vice Principal/PGT/TGT, including a minimum of four years as PGT or above, and her candidature was accordingly rejected. The impugned order reads:

"Subject: WP (Civil) No. 17148 of 2024 filed by Ms. Sandhya V N before the Hon'ble Delhi High Court-reg.

With reference to the above subject and as per the direction of the Hon'ble Court dated 05.12.2025 wherein it was directed that the competent authority of the respondent would pass a speaking order responding to the representation dated 19.12.2025 from the Petitioner addressed to NESTS. The present order concerns Ms. Sandhya V N, candidate for the post of Principal in the recruitment process conducted by NESTS vide EMRS Staff Selection Examination – 2023.

It may be noted that Ms. Sandhya V N applied for the post of Principal in response to the advertisement dated 28.06.2023 published by NESTS for ESSE – 2023. Essential qualification was published in ESSE-2023 notification. As per essential qualification, "Persons having 12 years of combined experience as Vice Principal/PGT/TGT with minimum 4 years as PGT and above" are deemed to possess the Essential Qualification for the post of Principal. ESSE -2023 notification specifically provides that 12 years' consolidated experience is must as a TGT/PGT/VP and out of which minimum 4 years as PGT and above and there is no mention/consideration of any other equivalent post.



It is stated that Ms. Sandhya V N after being selected on basis of result of written exam was called for document verification and interview on 21.02.2024. During the document verification which was a pre-interview stage, the documents of Ms. Sandhya V N were scrutinized. She was unable to demonstrate that she possesses the Essential Experience of 12 years as a Vice Principal/TGT/ PGT out of which minimum 4 years PGT as stated above. Due to the lack of experience as per notification, she was not allowed to appear in the interview.

As per documents provided by Ms. Sandhya V N, she has total experience of only 7.5 years against 12 mandatory years as per notification. She has not provided any document at the time of document verification vide which she could exhibit that she has 12 years' experience as mentioned in the notification for the post of Principal. Under the settled law, the provisions of the Notification/Recruitment Rules prescribing essential experience must be interpreted strictly, so as to prevent any alteration of the rules midway through the recruitment process. Consequently Ms. Sandhya V N was not allowed to appear in the interview for the post of Principal.

Ms. Sandhya V N provided details about period of employment as HSST and as Guest Lecturer which is set out in the table for case of reference and are as follows:-

<i>Post</i>	<i>Dates of service (from - to)</i>	<i>Days of service</i>
<i>Guest Lecturer (History)</i>	<i>04.06.2008 27.02.2009</i>	<i>269</i>
<i>Guest Lecturer (HSST History)</i>	<i>23.06.2009 26.02.2010</i>	<i>249</i>
<i>Guest Lecturer (History)</i>	<i>01.06.2010 28.02.2011</i>	<i>273</i>
<i>Guest Lecturer (History)</i>	<i>01.06.2011 31.10.2011</i>	<i>153</i>
<i>HSST (History) Jr</i>	<i>28.06.2012 02.11.2012</i>	<i>128</i>
<i>Guest Lecturer</i>	<i>03.11.2012 23.02.2013</i>	<i>113</i>
<i>HSST</i>	<i>03.06.2013 24.02.2014</i>	<i>267</i>
<i>Guest Lecturer (History)</i>	<i>02.06.2014 14.08.2014</i>	<i>74</i>
<i>HSST (daily wage)</i>	<i>23.09.2014 17.03.2015</i>	<i>176</i>



HSST (daily wage)	01.06.2015 31.03.2016	305
HSST (History) (daily wage)	07.06.2016 15.07.2016	39
HSST (contract)	18.07.2016 31.03.2017	257
HAS (Social Science) (daily wage)	22.06.2017 28.02.2018	252
HSST	24.09.2018 30.03.2019	188

Pertinently, Total number of days of experience mentioned by Ms. Sandhya V N would come equivalent to 2743 days i.e., 7.5 years of experience. She has also been unable to show that she possesses 12 years of experience as Vice Principal/PGT/TGT which includes a minimum of 4 years as PGT and above, which is mandatory for making her eligible for the post of Principal. Therefore, the essential qualification / required No. of experience of 12 years as Vice Principal/PGT/TGT which includes a minimum of 4 years as PGT and above is not fulfilled as per the notification.

Ms. Sandhya V N has not produced any relevant document to establish her experience either at the time of document verification or in her Writ Petition or her representation dated 12.2.2025 which would establish her work experience as per the RR's ESSE-2023 notification. For all the above reasons, NESTS rejects her candidature for the post of Principal.

This issues with the approval of the competent authority."

8. On behalf of the Petitioner, it is urged that the aforesaid computation is fundamentally flawed. In the State of Kerala, teaching experience is to be reckoned with reference to the academic year and prescribed instructional days under the Kerala Education Rules, and not on the basis of a calendar year of 365 days. On this basis, it is contended that 2743 days correspond to 12 years and 4 months of teaching experience. It is further submitted that additional experience documents, subsequently traced, account for a further 599 days, thereby placing the Petitioner's eligibility beyond doubt. Delays in regular recruitment in Kerala often result in guest, contractual, or ad hoc



engagements, and that such service cannot be disregarded merely on account of its nature.

9. *Per contra*, the Respondents submit that the recruitment notice must be applied as it stands. It is contended that the prescribed experience refers to actual experience in the specified posts, and that fragmented spells of engagement, whether as a guest lecturer, on daily wages, or on contract, cannot be notionally converted into completed years of service by importing the concept of an academic year from the Kerala Education Rules.

10. This Court is unable to find any infirmity in the view taken by Respondent No. 2. The starting point must be the recruitment notice itself. The post in question is that of Principal, for which the essential eligibility condition is 12 years' combined experience as Vice Principal/PGT/TGT, including a minimum of 4 years as PGT or above. This requirement cannot be diluted by interpretative expansion, nor can it be recast by introducing a method of computation not contemplated in the notice. It is well settled that the terms of a recruitment notice must be applied as they stand.

11. Even if one were to proceed on the assumption most favourable to the Petitioner, namely, that her service as HSST can be treated as experience broadly comparable to PGT for the purpose of nomenclature, that would still not conclude the matter. The Petitioner would yet have to establish the prescribed length of experience. That is precisely where her case fails.

12. The Petitioner's case rests on converting actual days of engagement into deemed academic years by reference to the working-day structure under the Kerala Education Rules. This submission is misconceived. The provisions relied upon regulate the academic calendar and prescribe minimum instructional days; they do not create a legal fiction whereby part-



service in an academic session, whether as a guest, contractual, or daily-wage appointee, must be treated as a full year of service. Such a norm cannot be imported into a national recruitment process when the notice itself contains no such deeming provision.

13. What the recruitment notice contemplates is actual experience gained through service rendered in the specified posts. Respondent No. 2 cannot be faulted for examining the Petitioner's actual spells of service, including the dates and duration thereof. This approach is neither arbitrary nor unreasonable; rather, it is the most direct method of assessing whether the prescribed experience has in fact been acquired.

14. The tabulation in the impugned order reflects that the Petitioner's service comprises multiple short and discontinuous spells, including engagements as Guest Lecturer, HSST (Junior), HSST on daily wages, and on contract. These are not shown to be uninterrupted full-year appointments, and several span only a few months. To equate each such fragmented engagement with a full academic year would amount not to interpretation, but to substitution of the eligibility condition itself, an exercise impermissible in judicial review.

15. The reliance on an additional 599 days of experience also does not advance the Petitioner's case unless the underlying methodology of conversion into academic years is first accepted. Even if these additional days are taken into account, the Petitioner's actual service, measured as service rendered, remains short of the prescribed 12 years. Her case reaches the threshold only upon adoption of a notional conversion formula, which the recruitment notice does not envisage.

16. The Petitioner also seeks to draw support from the circumstance that



she worked in higher secondary classes and that delays in regular recruitment in Kerala often resulted in teachers being engaged on guest, ad hoc or daily-wage basis. That may explain the pattern of her service history. It does not, however, alter the legal position. Respondent No. 2 was entitled to insist upon the eligibility condition exactly as notified. Sympathy for the Petitioner's service circumstances cannot justify relaxation of an essential requirement in favour of one candidate. To do so would be unfair to other aspirants and contrary to the discipline of public recruitment.

17. For the foregoing reasons, this Court finds no perversity, arbitrariness, or illegality in the view taken by Respondent No. 2. The Petitioner's actual spells of service, as placed on record, do not meet the requirement of 12 years' combined experience. The attempt to bridge this deficiency through notional conversion into academic years has no basis in the recruitment notice and cannot be accepted.

18. The writ petition is accordingly dismissed, along with pending application(s), if any.

SANJEEV NARULA, J

APRIL 10, 2026/ab