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

+ **W.P.(C) 5909/2026, CM APPL. 28977-28978/2026**

MEENU SHOKEEN

.....Petitioner

Through: Ms. Ameyavikrama Thanvi,
Advocate.

versus

SALWAN BOYS SENIOR SECONDARY SCHOOL & ORS.

.....Respondents

Through: Mr. Pramod Gupta, Ms. Yogita and
Ms. Anushka Soni, Advocates.
Mr. Yeeshu Jain, ASC with Ms. Jyoti
Tyagi, Ms. Vishruti Pandey and Mr.
Sachin Garg, Advocates for R-2, 3.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **30.04.2026**

1. The Petitioner, a teacher employed with Respondent No. 1 school since July 2003, invokes the writ jurisdiction of this Court seeking two reliefs: (i) a direction that the order dated 04th February, 2026 reverting her from the post of Post Graduate Teacher¹ (English) to Trained Graduate Teacher² (Maths) be kept in abeyance until the final disposal of the proceedings pending before the High Court of Rajasthan; and (ii) a direction for her reinstatement to the post of PGT (English) with immediate effect.

¹ "PGT"

² "TGT"



2. The Petitioner was initially appointed as TGT (Maths) with the Respondent school. She thereafter acquired an M.A. (English) degree from the Institute of Advanced Studies in Education, Sardarshahar, Rajasthan,³ through distance mode, and on the strength of the said qualification came to be promoted to the post of PGT (English) *vide* order dated 27th July, 2018 on the recommendation of the Departmental Promotion Committee.

3. The controversy arises because the validity of degrees awarded by IASE through distance mode, as also of degrees in certain new courses, became the subject matter of a batch of proceedings before the High Court of Rajasthan. By judgment dated 08th January, 2024, the Single Judge of that Court, while deciding a batch of matters including S.B. Civil Writ Petition No. 5372/2008, declared that all diplomas and degrees, whether undergraduate, graduate or Ph.D., introduced without specific approval in new courses or through distance education, apart from those existing at the time of obtaining deemed university status, were invalid and unrecognized.

4. The operative directions issued by the Single Judge are of relevance and are extracted below:

38. Violations qua lack of approvals continue to subsist even as on today, and I am of the view that strict actions are warranted to avoid further damage. Let us now turn to the remedial measures¹⁶ that are urgently warranted to forthwith plug the further mischief by either of these institutes. Accordingly, in order to do so, following directions are herewith issued :-

38.1 All the impugned order, letters, and communications issued by MHRD, UGC, IGNOU and the erstwhile DEC and later DEB are declared legal and valid. Respondents are directed to proceed with further actions in accordance with these orders/letters to their logical conclusion. The interim stays granted by this Court on various writ petitions, which halted the operation and effect of such communications and letters, are all vacated forthwith in all the petitions.

38.2 All diplomas and degrees, whether undergraduate, graduate, or

³ “IASE”



Ph.D., introduced without specific approval in new courses or through distance education, apart from those existing at the time of obtaining deemed university status, are declared invalid and unrecognized.

38.3 Consequently, as per the aforementioned directive, all diplomas and degrees in general education, except those offered in pre-existing or existing courses/programs, are temporarily suspended as of now.

38.4 During the period of suspension, UGC is directed to promptly take steps to conduct fresh examinations for students whose degrees have been suspended following aforesaid directives. Steps must be done within a reasonable time but not later than a year:

38.5 Both institutes, IASE and JRN, must refund the entire amount charged to students enrolled in new unapproved courses, off-campus study centers without prior approval, or distance education without approval.

38.6 The UGC will determine the timeframe for students to clear examinations. Students passing within this timeframe will have their diplomas and degrees reinstated/revived.

38.7 The respective institutes must reimburse UGC in advance for all expenses incurred in this process.

38.8 Until students pass the fresh examinations, any benefits obtained based on their diplomas and degrees shall also remain suspended. However, employers are restrained to recover monetary benefits or other advantages provided to candidates employed based on these diplomas and degrees. Upon their failure to pass examination to be conducted/organized by UGC, the consequences shall follow but no money recoveries even then by the employers.

38.9 Both institutes, IASE and JRN, must immediately cease displaying any enrollment or admission information on their websites for upcoming academic sessions for courses not approved by the UGC. This also applies to enrollment or admission through distance education if not already discontinued.

38.10 Both institutes must promptly close their off-campus study centers and cease offering courses through classroom or distance mode unless prior approval has been obtained.

38.11 Both institutes are prohibited from conducting admissions for courses other than those taught on-campus through traditional classroom coaching, and only for courses offered at the time of obtaining deemed university status.

5. Paragraph 38.2 declares such diplomas and degrees invalid and unrecognized; paragraph 38.3 provides that all diplomas and degrees in general education, except those offered in pre-existing or existing



courses/programmes, shall remain temporarily suspended; paragraph 38.4 directs the University Grants Commission to take steps to conduct fresh examinations for students whose degrees stand suspended; and paragraph 38.8 states that until students pass the fresh examinations, benefits obtained on the basis of such diplomas and degrees shall remain suspended, though employers are restrained from recovering monetary benefits or other advantages already provided to employed candidates.

6. Against the aforesaid judgment, special appeals were preferred before the Division Bench of the High Court of Rajasthan. By order dated 30th May, 2024, the Division Bench declined to grant interim stay and made the following observations:

“18. However, as regards para 38.8 of the impugned order, this Court finds that a full-proof protection has been extended to the students, whereby the employers are restrained from recovering any monetary benefits or any advantages which are provided to the candidates employed concerned based on these Diplomas/Degrees.

18.1. Thus, while passing the impugned order, the learned Single Judge of this Hon’ble Court has taken complete care to the effect that such temporary suspension, until an opportunity is given to them to pass the examination to be conducted by the UGC, such candidates will not face any coercive steps at the hands of the employers concerned, until such an opportunity which has been granted vide the impugned is exhausted.

18.2. Thus, the protection already available in para 38.8, read with paras 38.3 & 38.4, of the impugned order, sufficiently take care of the interest of the students at this stage. Moreover, no coercion on temporary suspension has already been directed in para 38.8. in the impugned order for the persons/candidates who are already employed or are having any kind of advantages arising from the qualifications so acquired by them.

18.3. Therefore, any order in light of the aforesaid observations, at this juncture, when the students are not being made to suffer and have an alternate plan for their rehabilitation has already been prescribed, no interim order



is required to be passed by this Court in the instant stay application(s), at this stage.”

7. The Division Bench further recorded the submission of counsel for UGC that the UGC itself was in the process of challenging the impugned order only to the limited extent of the liability fastened on it to conduct examinations, and that the rest of the order, to its understanding, did not require challenge and had been rightly passed.

Contentions

8. Ms. Ameyavikrama Thanvi, counsel for the Petitioner contends that the impugned order dated 04th February, 2026, whereby she was reverted from the post of PGT (English) to TGT (Maths), is illegal, arbitrary and unsustainable in law. According to her, the action has been taken on the erroneous premise that her M.A. (English) degree obtained from IASE stood finally invalidated with immediate effect, whereas the validity and effect of such qualification is still pending consideration before the Division Bench of the High Court of Rajasthan, in which proceedings she has already been impleaded.

9. Ms. Thanvi further contends that Respondent No. 1 could not have taken adverse service action against her at this stage, particularly when the judgment dated 08th January, 2024 of the Single Judge itself contemplated a further remedial process through fresh examinations to be conducted by the UGC, and the UGC has not yet initiated any such process. She submits that the impugned action is also vitiated by breach of the statutory scheme under the Delhi School Education Act and Rules, inasmuch as Petitioner's reduction in rank constitutes a major penalty and, according to her, no prior approval of the competent authority was obtained before passing the order of



reversion. It is further urged that no show-cause notice was issued, no opportunity of hearing was afforded, and the order was passed in violation of the principles of natural justice, despite the school being fully aware of the qualification in question, having permitted her to pursue the course and having thereafter promoted her on that very basis.

10. She also relies upon the subsequent communications issued by the Deputy Director of Education calling upon Respondent No. 1 to keep the order of reversion in abeyance and to furnish proof of the requisite approval, and submits that the continuance of the impugned order despite such communications renders the school's action *ex facie* arbitrary. Placing reliance on paragraph 38.8 of the Single Bench judgment and paragraphs 18 to 18.3 of the Division Bench order, it is argued that the Rajasthan High Court has already protected similarly situated candidates from coercive employer action until the opportunity of appearing in the UGC-conducted fresh examination stands exhausted; hence, the Respondent-school could not have reverted her from the promotional post. The Petitioner further submits that, having served on the post of PGT (English) for several years after promotion through the Departmental Promotion Committee, she had a legitimate expectation that her position would not be disturbed save in accordance with law and upon final determination by the competent court or authority.

11. Mr. Pramod Gupta, counsel for the Respondents, on the other hand, contends that the very qualification on the basis of which the Petitioner came to occupy the post of PGT (English) is squarely covered by the judgment of the High Court of Rajasthan which has declared such degrees invalid and unrecognised in respect of new and distance-education courses.



He points out that the Single Judge has not upheld the validity of the Petitioner's M.A. (English) from IASE but has, on the contrary, declared it to be invalid and unrecognised. He further emphasises that the Division Bench has refused to stay that declaration, and the Petitioner's qualification cannot be treated as a valid postgraduate degree in English for service purposes.

12. Mr. Gupta further submits that, in exercise of writ jurisdiction, the Court must not grant the reliefs which would, in substance, compel the school to continue treating the Petitioner as holding a valid postgraduate qualification in English and to retain her on the promotional post of PGT (English). It is argued that such a direction would run contrary to the subsisting judicial pronouncement of the Rajasthan High Court and would undermine the employer's obligation to ensure that subject teachers possess presently recognised qualifications, particularly in a senior post such as PGT.

13. Mr. Gupta also emphasises that the Petitioner has already approached the Division Bench of the High Court of Rajasthan and is pursuing remedies there in relation to the legal status of the very degree on which her claim rests. In that situation, he contends, no writ of mandamus ought to issue from this Court. The appropriate course for the Petitioner is to abide by the outcome of the proceedings pending in Rajasthan.

Facts not in dispute

14. Certain foundational aspects are not in dispute. The Petitioner was initially appointed as TGT (Maths). Her subsequent promotion to the post of PGT (English) was based on an M.A. (English) degree obtained from IASE through distance mode. The legal status of degrees awarded by IASE



through distance education is squarely in issue before the High Court of Rajasthan and stands governed, for the present, by the judgment dated 08th January, 2024 of the Single Judge and the appellate order dated 30th May, 2024 passed by the Division Bench.

15. It is also admitted that the Petitioner has, as per her own pleadings, approached the High Court of Rajasthan and sought impleadment in the pending appellate proceedings. Equally, it is not the Petitioner's case that this Court is being invited only to examine the validity of the order dated 04th February, 2026. The writ petition seeks substantive directions that the said order of reversion be kept in abeyance until disposal of the Rajasthan appeals and that the Petitioner be forthwith reinstated to the post of PGT (English).

Questions for consideration

16. The principal question is whether, in view of the judgment of the Rajasthan High Court declaring the relevant class of IASE degrees invalid and unrecognised and the refusal of interim stay, this Court can nevertheless grant the reliefs sought, namely, stay of the reversion order and reinstatement of the Petitioner as PGT (English).

Analysis

17. At the outset, it is necessary to appreciate the effect of the judgment of the Single Judge of the High Court of Rajasthan. The Single Judge did not hold that the impugned degrees would remain valid pending further adjudication. On the contrary, paragraph 38.2 expressly declares that all diplomas and degrees introduced without specific approval in new courses or through distance education, apart from those existing at the time of obtaining deemed university status, are "invalid and unrecognised."



18. Paragraph 38.3 then provides that all diplomas and degrees in general education, except those offered in pre-existing or existing courses/programmes, are “temporarily suspended as of now,” while paragraph 38.4 directs the UGC to conduct fresh examinations for students whose degrees have been suspended and paragraph 38.6 contemplates revival of such diplomas and degrees if the students pass within the timeframe fixed by the UGC. The structure of these directions is clear: the degrees stand declared invalid and unrecognised, with the consequences of that declaration being modulated by a remedial mechanism involving temporary suspension, UGC-conducted examinations and possible revival upon success.

19. The order of the Division Bench does not alter this position. The Division Bench expressly reproduces paragraphs 38.2 to 38.8 of the impugned judgment, notes that paragraph 38.2 declares such degrees invalid and unrecognised, and yet declines to stay the judgment. It is true that the Division Bench uses broad language while observing that paragraph 38.8 affords “full-proof protection” and that candidates would not face coercive steps until the opportunity of taking the UGC examination is exhausted. Equally, however, the Division Bench refuses interim stay while consciously not disturbing the declaration that the relevant degrees are invalid and unrecognised. The mere pendency of proceedings does not dilute the operative effect of the judgment in the absence of any interim stay.

20. This Court is unable to read the order of the Division Bench as a declaration that the Petitioner’s M.A. (English) degree must, notwithstanding paragraph 38.2 of the Single Judge’s judgment, be treated as valid and subsisting qualification for all service purposes. Such a reading



would run counter to the plain text of both orders. In fact, the Division Bench records the submission of UGC that the limited challenge being contemplated by it was to the liability cast upon UGC to conduct the examination and that, to its understanding, the rest of the order did not require any challenge and had been rightly passed. That recorded stance further reinforces that the declaration of invalidity and suspension of the impugned class of degrees continues to hold the field.

21. Thus, as per the orders of the Single Judge and Division Bench of the High Court of Rajasthan, the degree in question is invalid and unrecognised, subject only to the specific remedial provisions outlined therein. As a result, the Petitioner's request for either suspension of the reversion order or immediate reinstatement to the post of PGT (English) is untenable. The reliefs sought would necessarily require this Court to proceed on the footing that the Petitioner's qualification is presently valid, which is contrary to the directions of the Rajasthan High Court.

22. The argument based on paragraph 38.8 of the Single Judge's judgment and paragraphs 18 to 18.3 of the Division Bench order also does not persuade this Court to grant the reliefs sought. Those passages undoubtedly extend protection to affected candidates, particularly in relation to recovery of monetary benefits and the grant of a further opportunity through UGC-conducted examinations. Read as a whole, however, they do not efface the declaration of invalidity, nor do they confer any right to continue on a higher post dependent upon the impugned qualification. Protection against recovery or coercive action cannot be construed as insulating service consequences arising from lack of a valid qualification.

23. Pertinently, the Petitioner has approached the Division Bench of the



High Court of Rajasthan and cannot, while pursuing remedies before the Rajasthan High Court against the declaration affecting her degree, simultaneously seek from this Court a mandamus that would have the practical effect of negating the existing consequences of that declaration and compelling her continuance on the promotional post as if the degree were unimpaired.

24. Counsel for the Petitioner has also relied on the Delhi School Education Act and the Delhi School Education Rules, particularly the provisions concerning reduction in rank as a major penalty and the requirement of prior approval. Those submissions might have assumed significance had the Court been called upon to decide a more confined challenge to the process adopted by the school. Moreover, even if those contentions were assumed for the sake of argument in her favour, the principal reliefs actually claimed would still not follow as a matter of course in the face of the subsisting orders passed by the Rajasthan High Court.

25. At the same time, it is necessary to clarify that dismissal of the present writ petition is confined to the prayers as framed. Nothing in this judgment shall be construed as foreclosing the Petitioner from pursuing remedies before the Division Bench of the High Court of Rajasthan in relation to the status of her qualification and the consequences that may flow therefrom. If, in future, the legal status of the Petitioner's qualification undergoes any material change by virtue of a final adjudication by the competent court or by reason of the process contemplated by the Rajasthan orders, it shall be open to the Petitioner to seek such relief as may then be available in accordance with law.

Conclusion



26. The writ petition is accordingly dismissed, limited to the prayers sought therein.

27. Pending applications, if any, also stand disposed of.

SANJEEV NARULA, J

APRIL 30, 2026

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