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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 33/2026 & CM APPL. 55/2026**
NANKU LAL AND ORSPetitioners

Through: Mr. Rahul Bajaj, Mr. Amritesh
Mishra, Advocates.

versus

NATIONAL EDUCATION SOCIETY FOR TRIBAL STUDENTS
.....Respondent
Through: Mr. Somesh Chandra Jha and Mr.
Animesh Rajoriya, Advocates.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
23.03.2026

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1. This petition assails the rejection of the Petitioners' candidature for the posts of PGT and TGT in schools run by the National Education Society for Tribal Students,¹ *vide* letters dated 12th June, 2025 and 08th August, 2025. 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 India², with a B.Ed. degree from an institution recognised by the National Council for Teacher Education.³

2. In support of the petition, Mr. Rahul Bajaj, counsel for the Petitioners, has placed reliance on the judgment of the Division Bench of this Court in

¹ "NESTS"

² "RCI"

³ "NCTE"



W.P.(C) 700/2023 dated 05th December, 2025, whereby the Court declined to interfere with the orders passed by the Central Administrative Tribunal holding candidates possessing B.Ed. (Special Education) to be eligible. He submits that this Court has, *inter alia*, held that in the absence of any express exclusion in the advertisement, candidatures could not be rejected on the ground of non-equivalence with a B.Ed. (General) degree.

3. *Per contra*, Mr. Somesh Chandra Jha, counsel for the Respondents, has placed reliance on the NCTE Regulations, 2014. He submits that these Regulations govern the field and supersede the earlier Regulations of 2001, which were taken into account by the Division Bench in the aforesaid judgment.

4. Mr. Jha further submits the issue of equivalence between B.Ed. (Special Education), recognised by RCI, and the B.Ed. programme recognised by NCTE, has been extensively examined by NCTE in view of the number of references received on this pertinent issue. An Expert Committee specifically constituted, after deliberations, submitted its report dated 12th July, 2018, opining that B.Ed. (Special Education) cannot be treated as equivalent to B.Ed. (General) for the purposes of appointment in regular schools. This report, he submits, was also not taken note of by the Division Bench in its judgment dated 05th December, 2025, relied upon by the Petitioner. In view of the same, it is submitted that since the Petitioners have not challenged the applicable NCTE Regulations or the said report, they cannot assail their applicability in the present proceedings.

5. Mr. Rahul Bajaj, acknowledges that the present petition, as framed, does not comprehensively assail the regulatory framework and the aforesaid report. He, therefore, seeks leave to withdraw the present petition with



liberty to file a fresh petition on the same cause of action, incorporating an appropriate challenge to the relevant regulations, reports, and allied aspects.

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

MARCH 23, 2026/ab