

**SANTOSH KUMAR AND ANR Versus STATE OF HP AND ORS
a/w connected matter**

**CWP-4555 of 2020 &
CWP-2270 of 2022**

05.01.2026 Present: **CWP-4555 of 2020**
Mr. Sanjeev K. Suri, Advocate, for the petitioners.

Mr. Rajan Kahol, Additional Advocate General with
Mr. Anish Banshtu, Deputy Advocate General, for
the respondents-State.

Mr. Pradeep K. Sharma, Advocate, for respondent
No.4.

Mr. Lokender Paul Thakur, Senior Panel Counsel,
for respondent No.5.

CWP-2270 of 2022

Mr. Pawan Kumar Sharma, Advocate, for the
petitioner.

Mr. Rajan Kahol & Mr. Vishal Panwar, Additional
Advocates General with Mr. Ravi Chauhan Deputy
Advocate General, for the respondents-State.

Mr. Pradeep K. Sharma, Advocate, for respondent
No.5.

Mr. Lokender Paul Thakur, Senior Panel Counsel,
for respondent No.6.

**CMP-274 of 2026 in CWP-4555 of 2020 &
CMP-614 of 2026 in CWP-2270 of 2022**

By way of instant applications filed under Section
151 CPC, permission has been sought by the
applicants/petitioners to apply manually for registration in the
six-month certificate course (Bridge) in Primary Teacher
Education and provisionally allow them to appear in the
examination.

Careful perusal of averments contained in the application, which are duly supported by an affidavit, reveal that applicants/petitioners were initially appointed as Primary Assistant Teachers under the Scheme Prathmik Sahayak Adhyapak/Primary Assistant Teacher Scheme, 2003, in the years 2003 and 2006, respectively and since then, they have been working as Primary Assistant Teachers. In the year 2018, National Council of Teacher Education (NCTE) amended the qualifications for the appointment of teachers for Classes-I to IV. As per amended qualifications, persons desirous of getting appointment against the post of Assistant Teacher is required to possess a Graduation degree with at least 50% marks and Bachelor of Education (B.Ed). Besides above, he/she is required to undergo six-month Bridge Course in Elementary Education recognized by the NCTE within two years of their appointment as Primary Teacher. Though petitioners participated in the Bridge Course conducted by NCTE, but unfortunately, they were unable to clear all papers. Both the petitioners were got supplementary in one paper, as a result thereof, their services could not be regularized by the Government of Himachal Pradesh in terms of Policy of Regularization framed by it from time to time. Since no supplementary examination was conducted by respondent No.5, petitioners were unable to clear the Bridge course. Now National Institute of Open Schooling, vide notification dated 25.11.2025, launched a registration

portal for the six-month Certificate Course (Bridge) in Primary Teacher Education (Annexure A-1), but the petitioners are unable to apply online for registration of Bridge course in Primary Teacher Education because the portal permits only those candidates, who were appointed with B.Ed. degree in accordance with the NCTE's notification dated 28.06.2018 and who were in service prior to the judgment of the Hon'ble Apex Court delivered on 11.08.2023. Petitioners were appointed as Primary Assistant Teachers in the years 2003 and 2006, respectively and at the relevant time, they were possessing degrees of BA and B.Ed. Though in terms of notification dated 28.06.2018 issued by the NCTE, petitioners had registered themselves for Bridge course in the year 2018, but as has been observed herein above, they were unable to clear all exams and thereafter, no supplementary examination was conducted. Though in terms of notification dated 25.11.2025, fresh Bridge Course is being conducted for Primary Assistant Teachers, but since petitioners were appointed in the years 2003 and 2006, respectively, their applications are not being accepted online for the reason that only candidates appointed with B.Ed Degree in accordance with NCTE's notification dated 28.06.2018 and who were in service prior to the Hon'ble Apex Court's judgment delivered on 11.08.2023 are eligible to apply.

Pursuant to order dated 08.04.2024 passed by Hon'ble Apex Court in Miscellaneous Application Diary No.4303

of 2024, titled as ***Devesh Sharma Vs. Union of India & Ors.***, notification dated 25.11.2025 was issued by the National Institute of Open Schooling, thereby launching registration portal for six-month Certificate course (Bridge) in Primary Teacher Education (Annexure A-1), but since in terms of aforesaid notification, the eligibility for registration is restricted to Primary Assistant Teachers, who possessed a B.Ed. degree at the time of their appointment in accordance with the NCTE notification dated 28.06.2018 and were in service prior to passing of order dated 11.08.2023 by the Hon'ble Apex Court, petitioners, who were admittedly appointed as Primary Assistant Teachers in the years 2003 and 2006, respectively, are unable to register themselves for the Bridge course, whereas careful perusal of order dated 08.04.2024 clearly reveals that Hon'ble Apex Court extended protection only to such candidates, who possessed B.Ed qualification at the relevant.

Though in terms of aforesaid order, National Council for Teacher Education issued notification dated 25.11.2025 to provide an opportunity to such of the candidates, who were given appointment as Primary Assistant Teachers on the basis of their B.Ed Degree, but while doing so, it fixed the cut off period w.e.f 28.06.2018 to 11.08.2023, as a result thereof, petitioners, who were appointee of the years 2003 and 2006, respectively, are unable to register themselves online for the Bridge Course.

Since petitioners were unable to apply for supplementary examination after 2018 for the reason that no supplementary examination was conducted, prayer made on their behalf for permitting them to apply manually for registration in the six-month certificate course (Bridge) in Primary Teacher Education, in view of notification dated 25.11.2025, deserves to be considered. In interim, it is ordered that petitioners shall be permitted to apply manually for registration in the six-month certificate course (Bridge) in terms of notification dated 25.11.2025 and thereafter, they shall be allowed to appear in the examination provisionally, however, the same shall be subject to the final outcome of the writ petition.

List on 23.03.2026. On or before which date, learned counsel for the non-applicants/respondents shall file reply.

January 05, 2026
(sunil)

(Sandeep Sharma),
Judge