

**IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA****CWP No. 5868 of 2026****Decided on: 24.06.2026**

Shelja Sharma

.....Petitioner

Versus

State of H.P. and others

... Respondents

Coram**Hon'ble Mr. Justice Ajay Mohan Goel, Judge.****Whether approved for reporting?¹ Yes**

For the petitioner : Mr. R.L. Chaudhary, Advocate.

For the respondents : Mr. Pushpender Jaswal, Additional
Advocate General for respondents No.
1 and 2.: Mr. Vishwajeet Singh, Advocate for
respondent No. 3.**Ajay Mohan Goel, Judge** [Oral]

By way of this writ petition, the petitioner has, *inter alia*,
prayed for the following reliefs:-

*“(i) That writ of certiorari may kindly be issued, quashing and
setting aside the rejection dated 28.03.2026 (Annexure P-15),
since the same has been issued by the respondent authority
without examining the educational qualification of the petitioner
in accordance with law.*

*(ii) That writ of mandamus may kindly be issued, directing the
respondents to give appointment to the petitioner against the
post of T.G.T. (Medical) from the due date with all
consequential benefits, since the petitioner is a meritorious*

¹ Whether reporters of the local papers may be allowed to see the judgment?



candidate and she has achieved 24th position in the said selection process and she is having higher qualification as well as she is gold medalist in M.Sc. (Hon's) Bio-chemistry to get appointment against the post of T.G.T. (Medical).”

2. The petitioner is aggrieved by the rejection of her candidature in terms of Annexure P-15, whereby her candidature for the post of TGT (Medical) stands rejected for want of qualification as per the Recruitment and Promotion Rules.

3. Having heard learned Counsel for the parties and having perused the averments made in the writ petition as well as documents appended therewith, this Court is of the considered view that the rejection of the candidature of the petitioner by the respondents cannot be faulted with. The advertisement in issue, which stands appended by the petitioner with the petition as Annexure P-10, is dated 27.05.2025, which demonstrates that 169 posts of TGT (Medical) (Trainee) were advertised by the Himachal Pradesh Rajya Chayan Aayog and the minimum qualification prescribed for the said post, as mentioned in the advertisement, was as under:-

“B.Sc. (Medical)/ Post Graduation (M.Sc. in any science discipline provided that candidates should have passed their Graduation Degree in B.Sc.(Medical)} from a recognized University with at least 50% marks in



B.Sc.(Medical) or Post Graduation and 1 year's Bachelor of Education (B.Ed.) /2 Year's Bachelor of Education (B.Ed.)/Bachelor of Education (B.Ed.) from National Council for Teacher Education (NCTE) recognized institution.”

4. Thus, the minimum qualification which was required for appointment against the post in issue was B.Sc. (Medical)/Post Graduation (M.Sc.) in any science discipline, provided that candidates should have passed their Graduation Degree in B.Sc. (Medical) from a recognized University.

5. In terms of the documents appended by the petitioner with the petition, she has not done her B.Sc. in Medical. She has done B.Sc. (Hons.) in Bio Chemistry from Punjab University. Though, learned Counsel for the petitioner has argued that B.Sc. (Hons.) Bio Chemistry is as good as B.Sc. (Medical), but this Court does not concur with the submissions of learned Counsel for the petitioner for the reason that it is not for this Court to judge the equivalence etc. of qualification of the candidates and the call is to be taken by the employer. In fact, a perusal of the advertisement demonstrates that the qualification required therein of B.Sc. (Medical) besides being prerequisite, was also not with condition like equivalent etc., meaning thereby that the employer was very much clear that only those candidates were eligible to apply to the post in issue, who had done their Graduation in Medical i.e. B.Sc. (Medical).



Therefore, in the backdrop of the fact that the petitioner indeed was not possessing the qualification prescribed in the advertisement, which as per the respondents was the same, as is mentioned in the Recruitment and Promotion Rules of the post in issue, which have been framed under proviso to Article 309 of the Constitution of India, this Court sees no reason to interfere with the impugned communication.

Accordingly, this petition being devoid of merit, is dismissed. Pending miscellaneous applications, if any, also stand disposed of.

(Ajay Mohan Goel)
Judge

June 24, 2026
(narender)