

Sl. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>WPSS No.1468 of 2026  <b><u>Hon'ble Pankaj Purohit, J.</u></b>  Mr. Vinay Kumar, learned counsel for the petitioner.</p> <p>2. Mr. R.C. Joshi, learned S.C. for the State/respondent nos.1 to 4.</p> <p>3. Mr. Sagar Malara, learned counsel holding brief of Mr. Yogesh Kumar Pacholia, learned counsel for respondent no.5.</p> <p>4. By means of present writ petition, petitioner has challenged the communication dated 25.04.2026 issued by respondent no.2 and order dated 04.05.2026 issued by respondent no.4, whereby services of the petitioner were terminated.</p> <p>5. It is contended by learned counsel for the petitioner that petitioner was appointed as an Assistant Teacher (Urdu) on 07.10.2021. The petitioner was in possession of Bachelor Degree in Arts as well as B.Ed. qualification. The petitioner secured 41.07% marks in Graduation.</p> <p>6. The services of the petitioner were terminated on the ground that petitioner's marks are below 45% in graduation.</p> <p>7. It is contended by learned counsel for the petitioner that in view of the notification issued by respondent no.5-NCTE dated 13.11.2019, for the candidates who have taken admission in B.Ed. course prior to 29.07.2011, the condition of securing 45% marks in graduation will not be applicable.</p> <p>8. It is contended by learned counsel for petitioner that the petitioner did graduation and B.Ed. course in the year 1999 and 2012 respectively. Though the petitioner took</p>

admission in the B.Ed course on 15.05.2011. Thus, the condition of having 45% marks in graduation would not be attracted in the case of the petitioner.

9. *Per contra*, Mr. R.C. Joshi, learned Brief Holder appearing for the State submits that as per eligibility for appointment on the post of Assistant Teacher (Urdu), a candidate must have passed graduation in Urdu which is one of the main subjects. Since the petitioner did not have 'Urdu' as one of the main subjects before 2011, his appointment was terminated.

10. Having perused the writ petition and having appreciated the contention raised by learned counsel for the parties, this Court finds substance in the submission made by learned counsel for the petitioner. At the same time, the submissions made by learned counsel for the State are unacceptable as the same do not find place in the impugned order.

11. In such view of the matter, in the peculiar facts and circumstances of the case, petitioner deserves protection from this Court.

12. In view of the above, it is directed that till the next date of listing, effect and operation of the impugned orders dated 25.04.2026 and 04.05.2026 passed by respondent nos.2 and 4 respectively, shall remain stayed.

13. The respondents may file their counter affidavit in the matter within six weeks.

14. List alongwith WPSS No.1281 of 2026.

**(Pankaj Purohit, J.)**

09.06.2026