

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No.132/2016

RAJNEESH KUMAR PANDEY & ORS.

Petitioners

VERSUS

UNION OF INDIA & ORS.

Respondents

[TO BE TAKEN UP AT 3.00 P.M.]

[CASES RELATING TO NCT DELHI, STATE OF ODISHA, PUNJAB, HARYANA AND
UT OF CHANDIGARH]

WITH

Diary No(s). 51301/2025 (X)

IA No. 277287/2025 - CLARIFICATION/DIRECTION

Diary No(s). 52515/2025 (X)

Diary No(s). 54064/2025 (X)

IA No. 239359/2025 - CONDONATION OF DELAY IN FILING

Diary No(s). 57696/2025 (X)

IA No. 254489/2025 - CONDONATION OF DELAY IN FILING

IA No. 254498/2025 - EXEMPTION FROM FILING O.T.

CONMT.PET.(C) No. 591/2022 in W.P.(C) No. 132/2016 (X)

IA No. 160599/2025 - CLARIFICATION/DIRECTION

IA No. 157707/2022 - EXEMPTION FROM FILING O.T.

IA No. 160600/2025 - EXEMPTION FROM FILING O.T.

IA No. 136828/2022 - EXEMPTION FROM FILING O.T.

IA No. 156275/2024 - EXEMPTION FROM FILING O.T.

IA No. 5723/2023 - EXEMPTION FROM FILING O.T.

IA No. 5722/2023 - INTERVENTION/IMPLEADMENT

IA No. 156274/2024 - INTERVENTION/IMPLEADMENT

IA No. 31726/2023 - INTERVENTION/IMPLEADMENT

IA No. 156466/2022 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

CONMT.PET.(C) No. 856/2023 in W.P.(C) No. 132/2016 (X)

IA No. 297046/2025 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 62867/2023 - EXEMPTION FROM FILING O.T.

Diary No(s). 10073/2024 (X)

IA No. 75509/2024 - CONDONATION OF DELAY IN FILING

IA No. 55972/2024 - EXEMPTION FROM FILING O.T.

Diary No(s). 27076/2024 (X)

IA No. 133338/2024 - CONDONATION OF DELAY IN FILING
IA No. 133339/2024 - EXEMPTION FROM FILING O.T.

Diary No(s). 40533/2024 (X)

IA No. 210700/2025 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 201178/2024 - CONDONATION OF DELAY IN FILING
IA No. 200950/2025 - INTERVENTION/IMPLEADMENT
IA No. 157415/2025 - INTERVENTION/IMPLEADMENT
IA No. 243939/2024 - INTERVENTION/IMPLEADMENT

CONMT.PET.(C) No. 589-591/2025 in W.P.(C) No. 132/2016 (X)

IA No. 281751/2025 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 269600/2025 - INTERVENTION/IMPLEADMENT
IA No. 244205/2025 - INTERVENTION/IMPLEADMENT
IA No. 189103/2025 - INTERVENTION/IMPLEADMENT
IA No. 38065/2026 - INTERVENTION/IMPLEADMENT
IA No. 15253/2026 - INTERVENTION/IMPLEADMENT
IA No. 309336/2025 - INTERVENTION/IMPLEADMENT
IA No. 285356/2025 - INTERVENTION/IMPLEADMENT

CONMT.PET.(C) No. 554-556/2025 in W.P.(C) No. 132/2016 (X)

IA No. 269063/2025 - EXEMPTION FROM FILING O.T.

CONMT.PET.(C) No. 520-522/2025 in W.P.(C) No. 132/2016 (X)

IA No. 156720/2025 - EXEMPTION FROM FILING O.T.
IA No. 282001/2025 - INTERVENTION/IMPLEADMENT

CONMT.PET.(C) No. 603-605/2025 in W.P.(C) No. 132/2016 (X)

IA No. 167407/2025 - EXEMPTION FROM FILING O.T.
IA No. 273417/2025 - INTERVENTION/IMPLEADMENT

Diary No(s). 44233/2025 (X)

IA No. 190229/2025 - CONDONATION OF DELAY IN FILING
IA No. 219743/2025 - INTERVENTION/IMPLEADMENT

Diary No(s). 46686/2025 (X)

IA No. 202571/2025 - CONDONATION OF DELAY IN FILING
IA No. 202570/2025 - EXEMPTION FROM FILING O.T.

Diary No(s). 46953/2025 (X)

IA No. 211158/2025 - CONDONATION OF DELAY IN FILING
IA No. 211159/2025 - EXEMPTION FROM FILING O.T.

Diary No(s). 47542/2025 (X)

IA No. 208201/2025 - CONDONATION OF DELAY IN FILING

Diary No(s). 50342/2025 (X)

IA No. 221053/2025 - CONDONATION OF DELAY IN FILING

Diary No(s). 50639/2025 (X)

IA No. 305372/2025 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 222174/2025 - CONDONATION OF DELAY IN FILING
IA No. 305373/2025 - EXEMPTION FROM FILING O.T.

W.P.(C) No. 876/2017 (X)

**IA No. 326913/2025 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 29329/2018 - EXEMPTION FROM FILING O.T.
IA No. 7557/2019 - INTERVENTION/IMPLEADMENT
IA No. 29969/2018 - INTERVENTION/IMPLEADMENT
IA No. 327086/2025 - INTERVENTION/IMPLEADMENT**

**W.P.(C) No. 1099/2023 (X)
FOR ADMISSION**

**Diary No(s). 46243/2024 (X)
IA No. 230583/2024 - CONDONATION OF DELAY IN FILING
IA No. 230575/2024 - EXEMPTION FROM FILING O.T.
IA No. 37532/2026 - INTERVENTION/IMPLEADMENT
IA No. 2518/2026 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES**

**Diary No(s). 51158/2024 (X)
IA No. 252704/2024 - CONDONATION OF DELAY IN FILING
IA No. 272685/2024 - INTERVENTION/IMPLEADMENT**

**Diary No(s). 10426/2025 (X)
IA No. 52265/2025 - CONDONATION OF DELAY IN FILING
IA No. 52273/2025 - EXEMPTION FROM FILING O.T.
IA No. 72760/2025 - INTERVENTION/IMPLEADMENT**

**Diary No(s). 12749/2025 (XVI)
IA No. 164101/2025 - CLARIFICATION/DIRECTION
IA No. 85261/2025 - CONDONATION OF DELAY IN FILING
IA No. 164103/2025 - EXEMPTION FROM FILING O.T.
IA No. 85262/2025 - EXEMPTION FROM FILING O.T.**

**SLP(C) No. 16838/2025 (XIV)
IA No. 146998/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT
IA No. 222659/2025 - INTERVENTION/IMPLEADMENT
IA No. 147198/2025 - INTERVENTION/IMPLEADMENT
IA No. 265960/2025 - INTERVENTION/IMPLEADMENT
IA No. 285364/2025 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 222661/2025 - PERMISSION TO FILE APPLICATION FOR DIRECTION**

**Diary No(s). 73405/2025 (X)
IA No. 332877/2025 - APPLICATION FOR PERMISSION
IA No. 23780/2026 - EXEMPTION FROM FILING O.T.**

**Diary No(s). 6331/2026 (X)
IA No. 33811/2026 - APPLICATION FOR EXEMPTION FROM FILING THE
RESIDENTIAL ADDRESS OF RESPONDENT/CONTEMNOR WITH AFFIDAVIT
IA No. 33812/2026 - CONDONATION OF DELAY IN FILING**

IA No. 33810/2026 - EXEMPTION FROM FILING O.T.

SLP(C) No. 1607-1608/2026 (XII-A)

IA No. 45999/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Diary No(s). 18984/2026 (X)

IA No. 96853/2026 - CONDONATION OF DELAY IN FILING

Diary No(s). 20792/2026 (X)

Diary No(s). 10180/2026 (X)

IA No. 54497/2026 - CONDONATION OF DELAY IN FILING

IA No. 54498/2026 - EXEMPTION FROM FILING O.T.

Date : 12-05-2026 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

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**UPON hearing the counsel the Court made the following
O R D E R**

DELHI

1. A letter has been circulated on behalf of learned counsel appearing for the GNCT of Delhi seeking an adjournment.
2. We propose to take up the cases related to GNCT of Delhi next week.
3. Notice was issued on I.A. No.116709 of 2026 on 28th April, 2026. Ms. Swati Ghildiyal, has entered appearance on behalf of the GNCT of Delhi. The GNCT of Delhi may file its reply affidavit to I.A. No.116709 of 2026 by 15th May, 2026.

Odisha

4. We have perused the affidavit dated 04th May, 2026 filed on behalf of the State of Odisha.
5. Although, initially it was represented before the Court that there are 572 individuals who have been working as Block Resource Persons with RCI qualification and that they would be considered by the Screening Committee in terms of the order of this Court dated 07th March, 2025, the affidavit reveals that only 106 individuals were called for document verification.
6. Responding to our query as to why the balance 466 individuals have not been called upon to attend proceedings before the Screening Committee for document verification, Mr. Prakash Ranjan Nayak, learned counsel submits that such candidates have not qualified the Teachers Eligibility Test (TET) which is a mandatory qualification in the State of Odisha.
7. We have in our previous orders noted the stand of the RCI that TET qualification is not mandatory for teachers wishing to impart lessons to Children

with Special Needs.

8. We have also observed that TET qualification, in the changed circumstances brought about by the affidavit of the RCI, ought to be considered as a desirable qualification.

9. Confronted with such a situation, Mr. Nayak submits that opportunity may be granted to the State of Odisha to file a comprehensive affidavit. He seeks and is granted time till 14th July, 2026 to file a comprehensive affidavit.

10. We, however, direct that in the meanwhile the remaining 466 individuals shall be called upon to produce their credentials for verification before the Screening Committee and if it is found that any or all such candidates possess the RCI qualification, steps shall be taken for their appointment in accordance with the order dated 07th March, 2025.

11. We have also ascertained from Mr. Nayak and place it on record that 1520 new posts are sought to be created. If indeed that be so and the cabinet/ appropriate authority sanctions creation of such posts, pendency of these matters before this Court will not prevent the State from proceeding ahead with issuance of advertisement. Such fact and the progress made for recruitment may also be indicated in the affidavit to be filed by the State.

Punjab

12. We have perused the affidavits dated 13th January, 2026 and 12th May, 2026. It is not in dispute that 375 (contractual) special teachers were in position and that all of them have been screened by the Screening Committee. In terms of the recommendation of the Screening Committee, such (contractual) special teachers have been recommended for regularisation in terms of the order dated 07th March 2025, in three tranches of 36, 12 and 13. The State of Punjab may proceed to regularise their service, and afford them all benefits in terms of the

order dated 07th March, 2025.

13. It also appears that the remaining (contractual) special teachers were not recommended for regularisation owing to deficiencies, namely, that such teachers did not qualify the TET, as well as had not renewed their Central Rehabilitation Register (CRR) number issued by the RCI.

14. Mr. Rishi Malhotra, learned amicus curiae submits that renewal of the CRR by the RCI is a requisite condition, and that those (contractual) special teachers, who have not yet renewed such number, may be granted liberty to approach the Screening Committee after obtaining such renewal.

15. We find the submission to be fair and just. Accordingly, we grant liberty to all the (contractual) special teachers who have not obtained renewal of CRR number, to approach the RCI for such renewal. We hope and trust that the RCI shall attend to the concerns expressed by such (contractual) special teachers, and renew the CRR numbers in accordance with law.

16. On such renewal, the said (contractual) special teachers shall be at liberty to approach the Screening Committee for further verification of their credentials. We reiterate that TET shall be regarded as a desirable qualification, as indicated in the previous orders, as well as the order passed today while dealing with the State of Odisha.

17. If such (contractual) special teachers are found to be suitable in all respects, they shall also be recommended by the Screening Committee for regularisation.

18. So far as the contents of paragraph 4 of the affidavit dated 12th May, 2026 is concerned, Mr. Malhotra, learned amicus curiae has correctly pointed out that

there is some anomaly which needs to be cleared by the State of Punjab.

19. It appears that two tests were held on 15th April, 2026 and 26th April, 2026. While the former test is titled “Punjab State Teacher Eligibility Test”, the latter test is titled “Punjab State Teacher Eligibility Test (Special).

20. Anxiety of Mr. Malhotra is that 54 special teachers who are claimed to have cleared the TET test on 15th April 2026 may not have cleared the “Punjab State Teacher Eligibility Test (Special).

21. Learned counsel for the State being confronted with such factual position, has sought for time to obtain better instructions. Let a status report be filed clarifying the position.

22. The petitioners in the Contempt Petition (C) Diary No.50639/2025 are also granted liberty to present their credentials before the Screening Committee. If they are found to be suitable for regularisation, appropriate recommendation may be made.

23. Needless to observe, even for this category of candidates, TET will not be insisted upon as a mandatory qualification.

Haryana

24. The State of Haryana is directed to constitute a Screening Committee in terms of the order dated 07th March, 2025.

25. It is submitted that 360 (contractual) special teachers are in position and there are 1093 sanctioned posts.

26. The State of Haryana may invite all the (contractual) special teachers to appear before the Screening Committee on a specific date to be notified, with their credentials. On verification of the credentials of such of the candidates

who are found to meet the requisite eligibility criteria, the State of Haryana shall proceed to regularise their services and grant them all benefits under the order dated 07th March, 2025 without insisting for them to possess the TET qualification.

27. We propose to take up the cases related to GNCT of Delhi, Chandigarh, Himachal Pradesh and Uttarakhand on 19th May, 2026 at 3:00 p.m.

(RASHMI DHYANI PANT)
ASTT. REGISTRAR-cum-PS

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)