

ITEM NO.42

COURT NO.8

SECTION X

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(s). 132/2016

RAJNEESH KUMAR PANDEY & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

[TO BE TAKEN UP AT 3.00 P.M.] [CASES RELATING TO GUJARAT, UTTAR
PRADESH AND CHATTISGARH TO BE HEARD] REF ORDER DT: 07.04.2026 :-
PROGRESS REPORT ODISHA, UTTAR PRADESH

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. 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. 157707/2022 - EXEMPTION FROM FILING O.T.

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

IA No. 156274/2024 - INTERVENTION/IMPLEADMENT

IA No. 31726/2023 - INTERVENTION/IMPLEADMENT

IA No. 5722/2023 - 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. 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
 IA No. 269600/2025 - INTERVENTION/IMPLEADMENT
 IA No. 244205/2025 - 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. 327086/2025 - INTERVENTION/IMPLEADMENT
 IA No. 7557/2019 - INTERVENTION/IMPLEADMENT
 IA No. 29969/2018 - 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. 326918/2025 - CLARIFICATION/DIRECTION
 IA No. 146998/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
 JUDGMENT
 IA No. 265960/2025 - INTERVENTION/IMPLEADMENT
 IA No. 222659/2025 - INTERVENTION/IMPLEADMENT
 IA No. 147198/2025 - 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 : 05-05-2026 This petition was called on for hearing today.****CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
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UPON hearing the counsel the Court made the following
O R D E R

CHHATTISGARH :

1. 848 posts have been sanctioned. 100 posts were advertised on 03rd October, 2025. 62 teachers, possessing qualification required by the Rehabilitation Council of India¹, have been appointed. Remaining 38 have not yet been appointed on the ground that there was some issue with regard to possession of Teacher Eligibility Test qualification.
2. From the affidavit dated 06th November, 2025, it is revealed that at the elementary level, 155 persons are working as Block Resource Persons on contract whereas there are 85 special educators at the secondary level working on a fixed honorarium.
3. It is also revealed from the affidavit that the Screening Committee, in

¹ RCI

terms of the order dated 07th March, 2025, has been constituted on 16th June, 2025.

4. Let all such Block Resource Persons (155 in number) as well as the Special Educators working on fixed honorarium (85 in number) be called upon to appear before the Screening Committee with their credentials. Those Block Resource Persons and special educators who possess the RCI prescribed qualifications as well as possess other requisite qualifications, shall be considered by the Screening Committee for their appointment. An appropriate decision be taken thereafter to fill up the vacant posts by those candidates who are found to be suitable. Let this exercise be completed, preferably within two months from the date. An action taken report be placed before this Court when these matters will be taken up next in July, 2026.

5. Once all the 155 Block Resource Persons and 85 special educators are considered and appointments offered to all the suitable candidates, the State of Chhattisgarh shall be at liberty to make further advertisement to fill up the remaining posts.

6. While making the aforesaid directions, we have also borne in mind the further statement in the affidavit that there are more than 49,000 Children with Special Needs and the approximate number of posts required are 3981.

UTTAR PRADESH:

7. We are informed that presently approximately 4,900 posts of special educators are vacant.

8. We direct the State of Uttar Pradesh to issue an advertisement in two

“Hindi” daily newspapers having wide circulation in the State inviting applications from candidates who have been working as special teachers on contract basis. All candidates who respond to such advertisement shall be considered.

9. If any candidate who has been appointed to work as a special educator through an outsourcing agency shall also be considered.

10. Since it is the stand of the State that it requires all the special educators to clear the Teachers Eligibility Test (TET), we direct that clearance of TET shall be regarded as a desirable qualification in light of the affidavit filed by the RCI on the previous occasion.

11. The Screening Committee while considering the aspiring candidates, i.e., the special teachers appointed on contract, shall bear in mind the order dated 7th March, 2025.

12. Should the Screening Committee find any particular candidate not suitable for appointment, a brief reasoned order shall be passed and communicated to him.

13. An Action Taken Report shall be filed before this Court in the month of July, 2026 when the case of Uttar Pradesh will be taken up again.

14. Unless and until this exercise is completed, no fresh advertisement shall be issued to fill up the other vacant posts.

GUJARAT :

15. We are informed that presently approximately 1,504 candidates are in position and serving as special teachers/educators.

16. We direct the State of Gujarat to issue an advertisement in two “Gujarati” daily newspapers having wide circulation in the State inviting applications from

candidates who have been working as special teachers on contract basis.

17. Since it is also the stand of the State that it requires aspiring candidates to clear the Teachers Eligibility Test (TET), there shall be similar directions as in paragraphs 10 to 14 (supra).

18. We propose to take up the cases related to NCT Delhi, and the States of Odisha, Punjab and Haryana on 12th May, 2026 at 3:00 p.m. If time permits, the case related to Union Territory of Chandigarh could also be taken up.

(NISHA KHULBEY)
COURT MASTER (SH)

(JATINDER KAUR)
P.S. to REGISTRAR

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)