

ITEM NO.46

COURT NO.9

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)

MR. RISHI MALHOTRA (AMICUS CURIAE).....[TO BE TAKEN UP AT 3:30 P.M.] ref. order dated 04.11.2025 :-Uttar Pradesh, West Bengal, NCT of Delhi and State of Odisha for 18.11.2025.

WITH

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

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

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

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

CONTEMPT PETITION(C) No. 591/2022 in W.P.(C) No. 132/2016 (X)

IA No. 160599/2025 - CLARIFICATION/DIRECTION

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. 157707/2022 - 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

CONTEMPT PETITION(C) No. 856/2023 in W.P.(C) No. 132/2016 (X)

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. 201178/2024 - CONDONATION OF DELAY IN FILING

IA No. 243939/2024 - INTERVENTION/IMPLEADMENT

IA No. 157415/2025 - INTERVENTION/IMPLEADMENT

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

IA No. 189103/2025 - INTERVENTION/IMPLEADMENT

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

CONTEMPT PETITION(C) No. 520-522/2025 in W.P.(C) No. 132/2016 (X)
IA No. 156720/2025 - EXEMPTION FROM FILING O.T.

CONTEMPT PETITION(C) No. 603-605/2025 in W.P.(C) No. 132/2016 (X)
IA No. 167407/2025 - EXEMPTION FROM FILING O.T.

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. 222174/2025 - CONDONATION OF DELAY IN FILING

W.P.(C) No. 876/2017 (X)
IA No. 29329/2018 - EXEMPTION FROM FILING O.T.
IA No. 29969/2018 - INTERVENTION/IMPLEADMENT
IA No. 7557/2019 - 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.

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. 85262/2025 - EXEMPTION FROM FILING O.T.
IA No. 164103/2025 - 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. 147198/2025 - INTERVENTION/IMPLEADMENT

Date : 18-11-2025 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s) : Ms. Anvesha Saha, AOR
Mr. Jaswant Singh Rawat, AOR

Mrs. N. Kavitha Rameshwar, Adv.
Mr. A. Rajarajan, Adv.
Mrs. L. Vasuki Rajarajan, Adv.
Mr. R. Ramachandran, Adv.
Mr. Sanjay Kumar Visen, AOR

Mr. Aditya Ranjan, AOR
Mr. Koushik Gole, Adv.
Mr. Akash Tomar, Adv.

Mr. Gauranga Kumar Das, Adv.
Mr. Sukesh Ghosh, Adv.
Mr. Chand Qureshi, AOR
Mr. Prakash Verma, Adv.
Mr. Mohd Adil Mansoori, Adv.
Mrs. Jyoti Aggarwal, Adv.
Mr. Pradeep Shekhawat, Adv.
Ms. Sanjivani Aggarwal, Adv.
Mr. Permananad Singh, Adv.
Mr. Ambuj Mishra, Adv.

Mr. Santosh Kumar, Sr. Adv.
Mr. Rajiv R. Mishra, Adv.
Ms. Suruchi Yadav, Adv.
Mr. Ashutosh Yadav, AOR

Ms. Deeplaxmi Subhash Matwankar, AOR
Mr. Gautam Das, AOR

Mr. P.S Patwalia, Sr. Adv.
Mr. Satyajeet Kumar, AOR
Mr. Gopal Shakarnarayan, Sr. Adv.
Mr. Prashant Shukla, Adv.
Mr. Suyash Srivastava, Adv.

Mr. Abhishek Tiwari, Adv.
Mr. Giridhar Upadhyay, Adv.
Mr. Vinayak Sharma, Adv.

For Respondent(s) : Ms. Rashmi Nandakumar, AOR

Mrs. Aishwarya Bhati, A.S.G.
Mr. Mukesh Kumar Maroria, AOR
Mr. Akshay Amritanshu, Adv.
Ms. Vimla Sinha, Adv.
Mr. Raman Yadav, Adv.
Ms. Rukhmini Bobde, Adv.

Ms. Aishwarya Bhati, A.S.G.
Mr. Akshay Amritanshu, Adv.
Ms. Vimla Sinha, Adv.
Ms. Rukhmini Bobde, Adv.
Mr. Raman Yadav, Adv.
Ms. Preeti Rani, Adv.
Mr. Sudarshan Lamba, AOR

Mr. Amit Sharma, A.A.G.
Mr. Parth Awasthi, Adv.
Mr. Sarthak Raizada, Adv.
Mr. Pashupathi Nath Razdan, AOR
Ms. Maitreyee Jagat Joshi, Adv.
Mr. Astik Gupta, Adv.
Ms. Akanksha Tomar, Adv.

Mr. Rana Mukherjee, Sr. Adv.
Mr. Ankit Goel, AOR
Mr. Abhi Garg, Adv.
Mr. Mayank Tiwari, Adv.

Mr. Anand Grover, Sr. Adv.
Mr. Kunal Mimani, AOR
Ms. Shraddha Chirania, Adv.

Mr. Krishna Murari, Adv.
Mr. Satya Mitra, AOR

Ms. Rukmini Bobde, Adv.
Ms. Swati Ghildiyal, AOR
Ms. Deepanwita Priyanka, Adv.
Mrs. Devyani Bhatt, Adv.
Ms. Devyani Bhatt, Adv.
Ms. Neha Singh, Adv.

Mr. Vikrant Narayan Vasudeva, AOR
Mr. Manish Kumar, Adv.
Mr. Rohit Lochav, Adv.

Mr. Sameer Abhyankar, AOR
Ms. Ripul Swati Kumari, Adv.
Ms. Yachna Sharma, Adv.

Mr. Ravindra S. Garia, AOR

Mr. Guntur Pramod Kumar, AOR
Ms. Perna Singh, Adv.
Mr. Dhruv Yadav, Adv.

Ms. Sakshi Kakkar, AOR

Mr. Rajiv Shankar Dwivedi, Standing Counsel,
Ms. Pragya Baghel, Adv.
Mr. Anirudh Sharma, Adv.
Ms. Tulika Mukherjee, AOR
Mr. Beenu Sharma, Adv.
Mr. Venkat Narayan, Adv.

Mr. Aravindh S., AOR
Ms. Jyotika Sharma, Adv.

Ms. Devina Sehgal, AOR
Mr. Yatharth Kansal, Adv.

Mr. Jaswant Singh Rawat, AOR
Ms. Taruna Ardhendumauli Prasad, AOR

Ms. Srishti Agnihotri, AOR
Ms. Tara Elizabeth Kurien, Adv.
Mr. D.p.singh, Adv.

Mr. Subhash Chandran K.r, AOR
Ms. Krishna L R, Adv.
Mr. Anirudh K P, Adv.
Mr. Bineesh K, Adv.

Mr. Jitendra Mohan Sharma, Adv.
Mr. Akshat Sharma, Adv.
Mr. Amrit Pradhan, Adv.
Mr. Shrey Bhardwaj, Adv.
Mr. Ajit Sharma, AOR

Mr. Amit Sharma, A.A.G.
Mr. Parth Awasthi, Adv.
Mr. Sarthak Raizada, Adv.
Mr. Pashupathi Nath Razdan, AOR
Ms. Maitreyee Jagat Joshi, Adv.
Mr. Astik Gupta, Adv.
Ms. Akanksha Tomar, Adv.

Mr. Santosh Krishnan, AOR

Ms. Ankita Sharma, AOR
Mr. Arjun D. Singh, Adv.
Ms. Ishika Neogi, Adv.

Ms. Aishwarya Bhati, A.S.G.
Mrs. Mrinal Elkar Mazumdar, Adv.
Mr. Mukesh Kumar Verma, Adv.
Mr. Neeraj Kumar Sharma, Adv.
Mr. Indira Bhakar, Adv.
Ms. Kanu Agrawal, Adv.
Mr. Varun Chugh, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. Krishna Kant Dubey, Adv.
Mr. Harish Pandey, Adv.
Mr. Shashwat Parihar, Adv.
Mr. Piyush Beriwal, Adv.
Mr. Mukul Singh, Adv.
Mr. Rajesh Singh Chauhan, Adv.
Mr. Santosh Ramdurg, Adv.
Mr. Shreekant Neelappa Terdal, AOR

Mr. Shaveer Ahmed, AOR
Mr. Keshav Kant Sharma, Adv.
Mr. Chetan Garg, Adv.
Mr. Riwaj Rai, Adv.

Ms. G. Indira, AOR

Mr. Pukhrambam Ramesh Kumar, AOR
Mr. Karun Sharma, Adv.
Ms. Anupama Ngangom, Adv.
Ms. Rajkumari Divyasana, Adv.

Mr. Manoj C. Mishra, AOR
Ms. Kunika, AOR
Mr. Abhimanyu Tewari, AOR

Mr. P.V. Dinesh, Sr. Adv.
Mr. Nishe Rajen Shonker, AOR
Mrs. Anu K Joy, Adv.
Mr. Alim Anvar, Adv.
Mr. Santhosh K, Adv.
Mrs. Devika A.l., Adv.
Ms. Anna Oommen, Adv.

Mr. Akshat Kumar, AOR

Mr. Prakash Ranjan Nayak, AOR
Mr. Somkeerti V Singhdeo, Adv.
Mr. Sidharth Nahar, Adv.

Mr. Satish Pandey, AOR

Ms. Harendra Kumar Sharma, Adv.
Mr. Meghraj Singh, Adv.
Mrs. Smriti Kumari, Adv.
Mr. Akbar Ali, Adv.
Mr. Anirudh Bankura, Adv.
Ms. Sadiya Shakeel, Adv.
Mr. Sudhanshu Tiwari, Adv.

Ms. Aishwarya Bhati, A.S.G.
Mrs. Mrinal Elkar Mazumdar, Adv.
Mr. Mukesh Kumar Verma, Adv.
Mr. Neeraj Kumar Sharma, Adv.
Mr. Indira Bhakar, Adv.
Ms. Kanu Agrawal, Adv.
Mr. Varun Chugh, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. Krishna Kant Dubey, Adv.
Mr. Harish Pandey, Adv.
Mr. Shashwat Parihar, Adv.
Mr. Piyush Beriwal, Adv.
Mr. Mukul Singh, Adv.
Mr. Rajesh Singh Chauhan, Adv.
Mr. Santosh Ramdurg, Adv.
Mr. Shreekant Neelappa Terdal, AOR

Mr. Biju P Raman, AOR

Mr. Avijit Mani Tripathi, AOR
Mr. Upendra Mishra, Adv.
Mr. P.S. Negi, Adv.
Mr. Vikas Bansal, Adv.
Mr. T.k. Nayak, Adv.
Ms. Marbiang Khongwir, Adv.

Mr. Piyush Dwivedi, AOR
Ms. Diksha Verma, Adv.
Mr. Shireesh Kumar Singh, Adv.
Mr. Deepak Bhardwaj, Adv.
Mr. Braj Kishore Mishra, Adv.

Ms. Rukmini Bobde, Adv.
Ms. Rukmani Bobde, Adv.
Ms. Swati Ghildiyal, AOR
Ms. Deepanwita Priyanka, Adv.
Mrs. Devyani Bhatt, Adv.
Ms. Devyani Bhatt, Adv.
Ms. Neha Singh, Adv.

Mr. Omkar Deshpande, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Shrirang B. Varma, Adv.

Mr. Anand Grover, Sr. Adv.
Mr. Kunal Mimani, AOR
Ms. Shraddha Chirania, Adv.

Mr. Samar Vijay Singh, AOR
Ms. Sabarni Som, Adv.
Mr. Gaj Singh, Adv.
Mr. Aman Dev Sharma, Adv.
Mr. Dhruv Raman Singh, Adv.
Mr. Pushkar Sharma, Adv.
Dr. Sukhdev Sharma, Adv.
Ms. Shubhangi Nasa, Adv.

Mr. Ravindra Sadanand Chingale, AOR
Ms. Astha Sharma, AOR

Mr. Anando Mukherjee, AOR

Mr. Anil Shrivastav, A.A.G.
Ms. Eliza Barr, Adv.
Ms. Disha Singh, AOR

Mr. Jatinder Kumar Bhatia, AOR
Mr. D. Mahesh Babu, AOR
Mr. Ajay Pal, AOR
Mr. Mukesh Kumar, AOR
Mr. S. Udaya Kumar Sagar, AOR
Ms. Ranjeeta Rohatgi, AOR
M/S. Venkat Palwai Law Associates, AOR

Mr. Rajiv Shankar Dwivedi, Standing Counsel,
Ms. Pragya Baghel, Adv.
Mr. Anirudh Sharma, Adv.
Ms. Tulika Mukherjee, AOR
Mr. Beenu Sharma, Adv.
Mr. Venkat Narayan, Adv.

Mr. Akshay Amritanshu, AOR
Ms. Drishti Rawal, Adv.
Mr. Abhay Nair, Adv.
Mr. Sarthak Srivastava, Adv.
Mr. Mayur Goyal, Adv.

Mr. Daya Krishan Sharma, AOR
Mr. D K Sharma, Adv.
Mr. Rohit Vats, Adv.
Mr. Yashdeep, Adv.
Mr. Gaurav, Adv.

Ms. Deepanwita Priyanka, AOR
Mr. Deepak Singh, Adv.
Ms. Priyal Sheth, Adv.

Mr. Karan Sharma, AOR

Ms. Patil Rekha Chandra Gouda, AOR
Mr. Jadhav Vishal, Adv.

Mr. Manish Kumar, AOR
Mr. Divyansh Mishra, Adv.
Mr. Kumar Saurav, Adv.

Mr. Abhay Anil Anturkar, Adv.
Mr. Dhruv Tank, Adv.
Ms. Surbhi Kapoor, AOR
Mr. Bhagwant Deshpande, Adv.
Ms. Subhi Pastor, Adv.
Mr. Sarthak Mehrotra, Adv.

Mr. Piyush Hans, Deputy A.G.
Mr. Ashutosh Kumar Sharma, AOR
Ms. Saakshi Singh Rawat, Adv.

Mr. Anand Nandan, Adv.
Mr. Kuldeep Mishra, Adv.
Ms. Aashna Aggarwal, Adv.
Mr. Rameshwar Prasad Goyal, AOR

Ms. K. Enatoli Sema, AOR
Mr. Amit Kumar Singh, Adv.
Ms. Chubalemla Chang, Adv.
Mr. Prang Newmai, Adv.
Ms. Yanmi Phazang, Adv.

Mrs. Aishwarya Bhati, A.S.G.
Mr. Mukesh Kumar Maroria, AOR
Mr. Akshay Amritanshu, Adv.
Ms. Vimla Sinha, Adv.
Mr. Raman Yadav, Adv.
Ms. Rukhmini Bobde, Adv.

Mr. V. Chitambaresh, Sr. Adv.
Ms. Dhanya Ashokan, Sr. Adv.
Mr. Lakshmeesh S. Kamath, AOR
Mrs. Samriti Ahuja, Adv.
Ms. Aditi Prakash, Adv.
Mr. C. Govind Venugopal, Adv.
Mr. E. Krishna Perumal, Adv.

Mr. Sudhir Naagar, AOR
Mr. Manohar Naagar, Adv.
Mr. Ravinder Singh, Adv.
Mr. Mohit Singh, Adv.
Mr. Sidharth Khatana, Adv.

Mr. Kunal Chaudhary, Adv.

Mr. Shuvodeep Roy, AOR
Mr. Deepayan Dutta, Adv.
Mr. Saurabh Tripathi, Adv.

Mr. D. L. Chidananda, AOR

Mr. Kaustubh Shukla, AOR
Ms. Pushpanjali Singh, Adv.
Ms. Gursimrat Kaur, Adv.

Mr. Paresh Upadhyay, Adv.
Mr. Manoj K. Mishra, AOR
Mr. Vaibhav Vyas, Adv.
Mr. Umesh Dubey, Adv.
Ms. Madhulika, Adv.
Mr. Anand Kumar Rai, Adv.
Mr. Radeesh Kumar Mt, Adv.
Mr. Amulya Dev Mishra, Adv.
Mr. Hardeep, Adv.

Mr. Anand Shankar, AOR

Mr. Pradhuman Gohil, Adv.
Mrs. Taruna Singh Gohil, AOR
Mr. Alapati Sahithya Krishna, Adv.
Ms. Hetvi Ketan Patel, Adv.
Mr. Rushabh N. Kapadia, Adv.
Ms. Taniya Bansal, Adv.
Ms. Kawal Preet, Adv.
Mr. Pulkit Khanduja, Adv.

Mr. Samar Vijay Singh, AOR
Ms. Sabarni Som, Adv.
Mr. Gaj Singh, Adv.
Mr. Aman Dev Sharma, Adv.
Mr. Dhruv Raman Singh, Adv.
Mr. Pushkar Sharma, Adv.
Dr. Sukhdev Sharma, Adv.
Ms. Shubhangi Nasa, Adv.

Mr. Balaji Subramanian, A.A.G.
Mr. Sabarish Subramanian, AOR
Ms. Jahnvi Taneja, Adv.
Ms. Aashigaa Pravaagini, Adv.
Mr. Akash Kundu, Adv.
Mr. Vishnu Unnikrishnan, Adv.
Mr. Danish Saifi, Adv.

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

1. In terms of our earlier order, we are considering the progress made by the State of Uttar Pradesh¹ today. Our attention has been invited to two affidavits dated 7th September, 2025 and 16th November, 2025 filed on behalf of the SoUP.
2. We find from one such affidavit that the Teacher Eligibility Test² has been prescribed by the SoUP as a requisite qualification for teachers³ to be appointed to cater to the needs of Children with Special Needs⁴.
3. Number of orders have been passed from time to time by this Court with regard to appointment of Special Educators. Previously, it has never been brought to this Court's notice that the TET is also a requisite qualification for appointment of Special Educators for the CwSN. If, indeed, the TET is a mandatory qualification, the same has to be applied across the country for all candidates aspiring for appointment as Special Educators.
4. We have requested Ms. Rukhmini Bobde, learned counsel appearing for the Union of India, to obtain instructions in this behalf.
5. Mr. Rana Mukherjee, learned senior counsel appearing for the SoUP may also apprise us the relevant law based whereon the requirement of the candidates being TET qualified was specified in the notification dated 6th September, 2025, which forms part of the affidavit dated 7th September, 2025.
6. We propose to hear the Union of India, the SoUP, the other States and the aspirants on the aforesaid vital issue on 25th November, 2025 at 03:30 p.m.
7. Mr. Mukherjee shall also obtain instructions as to why a cut-off date (the

¹ SoUP

² TET

³ Special Educators

⁴ CwSN

date of filing of the writ petition by Rajneesh Kumar Pandey) has been fixed for the purpose of considering appointment of candidates appointed on daily basis / contractual basis.

8. Notwithstanding the pendency of these matters, the processes which have been initiated shall continue.

9. Insofar as the States of West Bengal, Odisha and Delhi are concerned, we propose to hear the learned Amicus Curiae and learned counsel appearing for such States immediately after the parties are heard on the issue whether the TET qualification is mandatory for Special Educators.

(JATINDER KAUR)
P.S. to REGISTRAR

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)