

ITEM NO.31

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.

Petitioners

VERSUS

UNION OF INDIA & ORS.

Respondents

MR. RISHI MALHOTRA (AMICUS CURIAE)  
[TO BE TAKEN UP AT 3:00 P.M.]

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)

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

I.A. No.160599/2025 - CLARIFICATION/DIRECTION

I.A. No.157707/2022 - EXEMPTION FROM FILING O.T.

I.A. No.160600/2025 - EXEMPTION FROM FILING O.T.

I.A. No.136828/2022 - EXEMPTION FROM FILING O.T.

I.A. No.156275/2024 - EXEMPTION FROM FILING O.T.

I.A. No.5723/2023 - EXEMPTION FROM FILING O.T.

I.A. No.156274/2024 - INTERVENTION/IMPLEADMENT

I.A. No.31726/2023 - INTERVENTION/IMPLEADMENT

I.A. No.5722/2023 - INTERVENTION/IMPLEADMENT

I.A. 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. 62867/2023 - EXEMPTION FROM FILING O.T.

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

I.A. No.75509/2024-CONDONATION OF DELAY IN FILING

I.A. No.55972/2024-EXEMPTION FROM FILING O.T.

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

I.A. No.133338/2024-CONDONATION OF DELAY IN FILING

I.A. No.133339/2024-EXEMPTION FROM FILING O.T.

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

I.A. No.201178/2024 - CONDONATION OF DELAY IN FILING  
I.A. No.157415/2025 - INTERVENTION/IMPLEADMENT  
I.A. No.243939/2024 - INTERVENTION/IMPLEADMENT

CONMT.PET.(C) No. 589-591/2025 in W.P.(C) No. 132/2016 (X)  
I.A. No.189103/2025-INTERVENTION/IMPLEADMENT

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

CONMT.PET.(C) No. 520-522/2025 in W.P.(C) No. 132/2016 (X)  
I.A. No.156720/2025 - EXEMPTION FROM FILING O.T.

CONMT.PET.(C) No. 603-605/2025 in W.P.(C) No. 132/2016 (X)  
I.A. No.167407/2025 - EXEMPTION FROM FILING O.T.

Diary No(s). 44233/2025 (X)  
I.A. No.190229/2025 - CONDONATION OF DELAY IN FILING  
I.A. No.219743/2025 - INTERVENTION/IMPLEADMENT

Diary No(s). 46686/2025 (X)  
I.A. No.202571/2025 - CONDONATION OF DELAY IN FILING  
I.A. No.202570/2025 - EXEMPTION FROM FILING O.T.

Diary No(s). 46953/2025 (X)  
I.A. No.211158/2025 - CONDONATION OF DELAY IN FILING  
I.A. No.211159/2025 - EXEMPTION FROM FILING O.T.

Diary No(s). 47542/2025 (X)  
I.A. No.208201/2025 - CONDONATION OF DELAY IN FILING

Diary No(s). 50342/2025 (X)  
I.A. No.221053/2025 - CONDONATION OF DELAY IN FILING

Diary No(s). 50639/2025 (X)  
I.A. No.222174/2025 - CONDONATION OF DELAY IN FILING

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

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

Diary No(s). 46243/2024 (X)  
I.A No.230583/2024 - CONDONATION OF DELAY IN FILING  
I.A No.230575/2024 - EXEMPTION FROM FILING O.T.

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

Diary No(s). 10426/2025 (X)

I.A. No.52265/2025 - CONDONATION OF DELAY IN FILING

I.A. No.52273/2025 - EXEMPTION FROM FILING O.T.

I.A. No.72760/2025 - INTERVENTION/IMPLEADMENT

Diary No(s). 12749/2025 (XVI)

I.A. No. 164101/2025 - CLARIFICATION/DIRECTION

I.A. No. 85261/2025 - CONDONATION OF DELAY IN FILING

I.A. No. 85262/2025 - EXEMPTION FROM FILING O.T.

I.A. No. 164103/2025 - EXEMPTION FROM FILING O.T.

SLP(C) No. 16838/2025 (XIV)

I.A. No.146998/2025-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

I.A. No.147198/2025 - INTERVENTION/IMPLEADMENT

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

FOR ADMISSION

Date : 03-02-2026 These matters were called on for hearing today.

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HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASHI

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**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 cases of the States of Uttar Pradesh and NCT of Delhi today.

Uttar Pradesh

2. The State of Uttar Pradesh has filed three affidavits dated 07<sup>th</sup> September, 2025, 16<sup>th</sup> November, 2025 and 23<sup>rd</sup> November, 2025.

3. It is gathered from such affidavits that there are 443 candidates who are Teachers' Eligibility Test<sup>1</sup> qualified. Their qualifications, however, need to be verified by the State Level Screening Committee<sup>2</sup>, constitution of which was directed by this Court in its previous order dated 07<sup>th</sup> March, 2025.

4. We grant liberty to all such 443 TET qualified candidates to present their

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1 TET

2 Screening Committee

credentials before the Screening Committee, which has since been constituted, within a period of two weeks from date.

5. Upon presentation of the credentials of such candidates, the Screening Committee shall proceed to verify the same and make appropriate recommendation to the State Government for the purpose of appointment of these 443 candidates on the post of Special Educators.

6. In the event any candidate is not found qualified, the Screening Committee may briefly indicate the reason therefor and communicate the same to the candidate concerned.

7. There are in excess of 300 candidates, whose claims have been espoused by Mr. Rahul Kaushik, learned senior counsel, Mr. Anand Nandan, learned counsel and other counsels. They claim in unison that all these candidates too are TET qualified. However, in view of the decision of the State Government that those who have been working on contractual daily wages in the department till 20<sup>th</sup> February, 2016 would be considered, the claims of such 300 + candidates have not yet been considered.

8. We have looked into the last of the three affidavits dated 23<sup>rd</sup> November, 2025, referred to above, wherein it has been averred that the cut-off date of 20<sup>th</sup> February, 2016 had been imposed in the absence of any direction given in any order/judgment rendered by this Court; however, the State of Uttar Pradesh has fairly left it to the discretion of the Court in regard to validity/invalidity of imposition of such cut-off date.

9. We, however, consider that all candidates (whether appointed prior to 20<sup>th</sup> February, 2016 or post 20<sup>th</sup> February, 2016) who meet the eligibility criteria for appointment as Special Educators must be considered by doing away with such

cut-off date.

10. We, therefore direct the State of Uttar Pradesh to publish similarly worded notices in two vernacular dailies having wide circulation in the State within a week from date inviting candidates, who are TET qualified as well as possessing the qualification prescribed by the Rehabilitation Council of India<sup>3</sup>, to apply before the Screening Committee by two weeks from date of such publication for the purpose of verification of their credentials.

11. The State is granted liberty to indicate in such public notices that only those who apply within the prescribed date would be considered and beyond such date no other application will be entertained.

12. We grant the Screening Committee time of two months from the last date of receipt of applications.

13. In the event the Screening Committee faces any difficulty in complying with this order, the State shall be at liberty to mention for extension of time.

14. Insofar as STET is concerned, we direct the State of Uttar Pradesh to conduct such examination within a period of six months from date.

### **Delhi**

15. We direct that 1443 candidates who are working as Special Educators on contractual basis, as referred to in the affidavit of 14<sup>th</sup> October, 2025 of the NCT of Delhi, shall appear before the Screening Committee with their credentials. Dates of appearance be notified to all such candidates well in advance.

16. If the Screening Committee finds that there are candidates who are TET qualified as well as possess the qualification prescribed by the RCI, the

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3 RCI

Screening Committee shall make appropriate recommendation to the State Government for the purpose of appointment of these 1443 candidates.

17. In the event any candidate is not found so qualified, the Screening Committee may briefly indicate the reason therefor and communicate the same to the candidate concerned.

18. Within a period of six weeks from date, NCT of Delhi shall file a status report pleading compliance of this order.

19. Till the next date of hearing, in modification of our earlier order dated 28<sup>th</sup> October, 2025, we direct NCT of Delhi not to appoint any candidate in pursuance of the TET examination which was conducted for filling up 945 posts of Special Educators.

20. We propose to hear the States of West Bengal, Kerala and Telangana on 12<sup>th</sup> February, 2026 at 03:00 p.m.

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

**(SUDHIR KUMAR SHARMA)**  
**COURT MASTER (NSH)**