



2025:DHC:6076



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% **Decided on: 25.07.2025**

+ W.P.(C) 10840/2025

ANSHUL

.....Petitioner

Through: Mr. Mohit Siwach, Advocate.

versus

UNION OF INDIA AND ORS.

.....Respondents

Through: Ms. Iram Majid, CGSC for UOI
with Mr. Mohd. Suboor, Advocate
for UOI.

Mr. Amartya Ashish Sharan & Mr.
Akash Kishore, Advocates for
NESTS.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

PRATEEK JALAN, J. (ORAL)

CM APPL. 44796/2025 (Exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 10840/2025 & CM APPL. 44795/2025 (interim directions)

1. Issue notice. Mr. Mohd. Suboor, learned counsel, accepts notice on behalf of respondent No. 1, and Mr. Amartya Ashish Sharan, learned counsel, accepts notice on behalf of respondent Nos. 2 and 3.

2. The petitioner applied for appointment to the post of Trained Graduate Teacher ["TGT"] (Social Studies) pursuant to an advertisement issued by NESTS in the year 2023.



3. The eligibility criteria for the said post, as specified in the advertisement, was as follows:

“(e) For TGT (Social Studies):

(i) The candidate should have studied any of the two subjects out of the following subject combination at graduation level:

(a) History with Geography/ Economics/ Political Science OR

(b) Geography with History/ Economics/ Political Science (in other words candidates should have studied any two subjects out of History, Geography, Economics and Political Science, in which one must be either History or Geography)

(ii) History/ Geography as above should have been studied for all three years in the Graduation.

(iii) In case of Honours Degree in History the candidate should have studied Geography/Economics/Political Science in any of the two years of the course. Similarly in case of Honours degree in Geography, the candidate should have studied History/Economics/Political Science in any of the two years of the course. Candidates with B.A. (Honours) in Economics or Political Science are not eligible for the post of TGT (Social Studies.)”

[Emphasis supplied.]

4. The petitioner was selected on the basis of the written examination and was called for document verification, by a letter dated 02.02.2024. Upon initial verification of her documents, she was issued a provisional appointment letter dated 02.03.2024, subject to further verification. She was subsequently called for a second round of document verification by an email dated 26.03.2024. However, by email dated 24.06.2024, she was informed that she did not possess the requisite educational qualifications and was, therefore, found ineligible for the post. Notwithstanding this, she was granted another opportunity to furnish the qualifying documents, by email dated 05.07.2024. Thereafter, by communication dated 17.09.2024, NESTS informed the petitioner that since she did not meet the required educational qualifications, her candidature has been cancelled. This position was reiterated in a further communication dated



30.10.2024, to which the petitioner submitted a response on 09.12.2024.

5. The petitioner has now approached this Court, contending that she does, in fact, possess the requisite qualifications and that the rejection of her candidature on this ground is incorrect.

6. I have heard Mr. Mohit Siwach, learned counsel for the petitioner, and Mr. Sharan, learned counsel for NESTS.

7. The eligibility conditions for the post of TGT (Social Studies), insofar as relevant to the present case, require that the candidate must have studied either History or Geography for all three years of the graduation degree, alongwith at least one additional subject, from among History, Geography, Economics, or Political Science.

8. It is the contention of Mr. Siwach that the petitioner obtained her B.A. degree from Indira Gandhi National Open University [“IGNOU”], where she studied History in all three years, and also studied Economics and Political Science. A copy of her marksheet has been placed on record, from which it clearly appears that she studied a History course in the second year. The controversy, however, relates to whether she studied History in the first and third years of her graduation.

9. As far as this aspect is concerned, the petitioner has placed on record an undated communication from IGNOU, which states that she studied History as part of the “*Foundation Course in Humanities and Social Science*” in the first year of the programme, and that in the third year, “*she has offered courses like Religion in India which have a historical component*”. Mr. Siwach states that this communication from IGNOU was submitted to NESTS.

10. Mr. Siwach further draws attention to the specific courses studied



by the petitioner as part of her B.A. programme, “*Foundation Course in Humanities and Social Sciences*” [first year], “*Society in India*” [third year], and “*Society and Religion*” [third year]. He submits that these courses fall within the discipline of History and that the petitioner, therefore, fulfils the eligibility criteria for the post of TGT (Social Studies).

11. A perusal of the communications issued by NESTS does not disclose any detailed reasoning, or the grounds upon which the petitioner has been considered ineligible. Although the eligibility criteria require that History be studied in all three years of graduation, there is nothing on record to show that NESTS has examined the syllabus or course content of the petitioner’s papers in any meaningful way, or has offered any justification for disregarding the certification issued by IGNOU.

12. In a similar matter, *Shabeer T v. Union of India and Ors.* [W.P.(C) 1457/2025, decided on 06.02.2025], this Court directed NESTS to reconsider the petitioner’s qualifications comprehensively, taking into account the eligibility criteria, in the light of the nature of the prospective employment, and the subjects studied by the petitioner during his B.A. Degree. I am of the view that a similar course of action is appropriate in the present case also.

13. The writ petition is, therefore, disposed of, with a direction to the respondents to reconsider the petitioner’s eligibility, having due regard to the syllabi and contents of the courses actually studied by her during the B.A. degree. The petitioner will submit the required material to NESTS within one week. NESTS is directed to pass a reasoned order within six weeks thereafter.



2025:DHC:6076



14. The record indicates that the petitioner has approached this Court for the first time in July 2025, challenging a rejection that was initially communicated on 24.06.2024 and reiterated on 17.09.2024 and 30.10.2024. In these circumstances, the aforesaid directions are subject to the availability of vacancies in the post for which the petitioner had applied pursuant to the impugned recruitment exercise. In the event, the recruitment process has already been concluded and all posts have been filled, Mr. Sharan is requested to inform Mr. Siwach in writing within three days from today.

15. The writ petition stands disposed of in the above terms.

PRATEEK JALAN, J

JULY 25, 2025

'pv/sd'