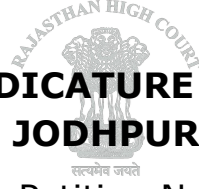




**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT  
JODHPUR**



S.B. Civil Writ Petition No. 16714/2024

1. Rajaram S/o Banshi Lal, Aged About 34 Years, Palli 2, Tehsil Lohawat, District Jodhpur, Rajasthan.
2. Neetu Choudhary D/o Goparam Choudhary, Aged About 30 Years, Vpo Popawas, Tehsil Jodhpur, District Jodhpur.
3. Opi Lal S/o Bhagirath Ram, Aged About 32 Years, Bheemsagar, Tehsil Osian, District Jodhpur.
4. Miyal Ram Farroda S/o Poonam Ram Farroda, Aged About 32 Years, Mukhya Bas, Gajoo, Tehsil Mundwa, District Nagaur.
5. Jagdish Singh S/o Bhulli Ram, Aged About 37 Years, Village Badli, Luhesar, Kaman, District Bharatpur, Rajasthan.
6. Meena Kumari Nagar D/o Meghraj Nagar, Aged About 29 Years, Village Umraj, Post Ramganj Balaji, Tehsil Bundi, District Bundi.
7. Tina Nagar W/o Satyanarayan Nagar, Aged About 36 Years, Village Umraj, Post Ramganj Balaji, Tehsil Bundi, District Bundi.
8. Sunita D/o Mahendra Singh, Aged About 29 Years, Dhani Araiyan, Post Office Bhukraka, Tehsil Nohar, District Hanumangarh.
9. Deepika D/o Tulshi Ram, Aged About 35 Years, Vpo Jayal, Tehsil Jayal, District Nagaur.
10. Rachna Kumari D/o Dayaram W/o Rajendra Gurjar, Aged About 33 Years, Village Raroda, Tehsil Bayana, District Bharatpur.
11. Urmila Sharma D/o Kailash Chandra Sharma, Aged About 40 Years, Village Gagera, Tehsil Hurda, District Bhilwara.
12. Ramphool Jat S/o Ramnarayan Jat, Aged About 30 Years, Beejalpura, Post Ranoli, Tehsil Peeploo, District Tonk.
13. Balkrishan S/o Somchand, Aged About 26 Years, Vpo Dhanota, Sewar, District Bharatpur.
14. Gordhan S/o Ratiram, Aged About 36 Years, Village Dhaur, Post Mahua, Tehsil And District Bharatpur.
15. Rajni D/o Mohar Singh, Aged About 32 Years, Vpo Palka, Tehsil Nagar, District Bharatpur.





16. Shiv Kumar S/o Vinod Kumar Sharma, Aged About 28 Years, Ward No.12, Loonkaransar, District Bikaner.
17. Shashi Bala D/o Inder Singh, Aged About 40 Years, Subhash Nagar, Near Agrasen School, Golpura Road, Bharatpur, District Bharatpur.
18. Mamta Yadav D/o Madan Singh, Aged About 32 Years, Dhani Mangla Ka Vali, Post Bhagega, Tehsil Neem Ka Thana, District Sikar.
19. Amit Kumar S/o Bepati Ram, Aged About 32 Years, Vpo Dharsoni, Tehsil Weir, District Bharatpur.
20. Vishvendra Singh S/o Vipati Ram, Aged About 27 Years, Vpo Dharsoni, Tehsil Weir, District Bharatpur.

----Petitioners

Versus

1. State Of Rajasthan, Through Principal Secretary, Rural Development And Panchayati Raj Department, Government Of Rajasthan Secretariat, Jaipur.
2. Principal Secretary, Education Department (Elementary) Government Of Rajasthan Secretariat, Jaipur.
3. The Director, Elementary Education Rajasthan Bikaner.
4. Rajasthan Staff Selection Board Jaipur (Raj.), Office Address Agriculture Management Institution Campus Durgapura Jaipur (Raj.) Through Its Chairman.

----Respondents

Connected With

S.B. Civil Writ Petition No. 18264/2024

1. Bhateri Devi D/o Shri Sajjan Singh, Aged About 38 Years, Resident Of Dhandhol Kekh, Post Narwasi, Tehsil Rajgarh, District Churu - 331023.
2. Anita Singh W/o Shri Rajeev Kumar, Aged About 35 Years, Resident Of Vpo Indali, Jhunjhunu 333001
3. Narendra Kumar S/o Shri Krishna Devi, Aged About 39 Years, Resident Of Vpo Suratpura Tehsil Bhadra, District Hanumangarh, Rajasthan 335503
4. Dharma Veer S/o Shri Sita Ram, Aged About 31 Years, Resident Of Vpo Haripura, Tehsil Taranagar, District Churu 331304





5. Sandeep Kumar S/o Shri Bhoop Singh, Aged About 39 Years, Resident Of Village Ganja Rapana, Post Shakkar Mandori, District Sirsa, Haryana - 125110
6. Ram Pal S/o Shri Ramswaroop, Aged About 36 Years, Resident Of Village Bhagwansar, Post Gorkang, Tehsil Nohar, District Hanumangarh 335523.
7. Monika Yadav D/o Shri Mahaveer Singh, Aged About 29 Years, Resident Of Village And Post Khanpur Aheer, Tehsil Mundawar, District Kherthal, Tijara, Rajasthan 301403
8. Krishna W/o Shri Rakesh Kumar, Aged About 35 Years, Resident Of Shyoratada, Mundria, Barg, Tehsil Bhadra, District Hanumangarh - Rajasthan 335502.
9. Rakesh Kumar S/o Shri Jeeta Ram, Aged About 38 Years, Resident Of Vpo Munda, Tehsil And District Hanumangarh, 335526
10. Vandana Kumari D/o Shri Pyarelal Kadawasara, Aged About 27 Years, Resident Of Village Khandwa Patta, Tehsil And District Churu, 331001.
11. Neelam W/o Shri Mukesh Kumar, Aged About 39 Years, Resident Of Village Jiwandesar, Po Padampur, District Ganganagar 335041

----Petitioners

Versus

1. State Of Rajasthan, Through Principal Secretary Rural Development And Panchayati Raj Department, Government Of Rajasthan Secretariat, Jaipur.
2. Principal Secretary, Education Department (Elementary) Government Of Rajasthan Secretariat, Jaipur.
3. The Director, Elementary Education Rajasthan, Bikaner.
4. Rajasthan Staff Selection Board, Jaipur (Raj.) Office Address - Agriculture Management Institution Campus Durgapura, Jaipur (Raj.) Through Its Chairman.

----Respondents

S.B. Civil Writ Petition No. 20466/2024

1. Shakeela D/o Shri Satpal, W/o Sh. Surjeet Kumar, Aged About 36 Years, R/o Chak 22 Mod, Tehsil Pilibangan, District Hanumangarh, Rajasthan.
2. Suman Bishnoi D/o Shri Asha Ram Bishnoi, W/o





Sh.subhash Chander, Aged About 38 Years, R/o Chak 22 Mod, Tehsil Pilibangan, District Hanumangarh, Rajasthan.

3. Usha Bishnoi D/o Shri Asha Ram Bishnoi, W/o Sh. Sourabh Kumar, Aged About 38 Years, R/o Chak 22 Mod, Tehsil Pilibangan, District Hanumangarh, Rajasthan.
4. Neetu Yadav D/o Shri Budh Ram Yadav, W/o Sh. Anil Kumar Yadav, Aged About 37 Years, R/o Vpo Palava, Tehsil Mundawar, District Alwar, Rajasthan.
5. Jaskaran S/o Shri Jasveer Singh, Aged About 27 Years, R/o Village 5G Chhoti, Tehsil And District Sri Ganganagar, Rajasthan.
6. Jyoti Bala D/o Shri Mohar Singh, W/o Sh. Shishpal, Aged About 32 Years, R/o Village 10 Spd, Sardarpura Kharta Tehsil And District Sri Ganganagar, Rajasthan.
7. Sangeeta Yadav D/o Shri Amar Singh Yadav, W/o Sh. Kuldeep Singh Yadav, Aged About 33 Years, R/o Bus Stand Road, Near School Ground, Behind Lg Showroom, Behror, District Alwar, Rajasthan.
8. Manisha Yadav D/o Shri Sube Singh Yadav, W/o Sh. Ravi Kumar, Aged About 35 Years, R/o Village Kani Tigaon, Post Jonal, Tehsil Kotkasim, District Alwar, Rajasthan.
9. Ajay Pal S/o Shri Sunder Singh, Aged About 37 Years, R/o Village Jokhawas, Post Ujoli, Tehsil Kotkasim, District Alwar, Rajasthan.
10. Deepanshu S/o Shri Satyaveer Singh Yadav, Aged About 24 Years, R/o Village Rodwal, Tehsil Neemrana, District Alwar, Rajasthan.
11. Moinuddin S/o Alladin, Aged About 40 Years, R/o 19/55, Kadar Mohalla, Roshni House, Nosar Ghati, Pushkar Road, Ajmer Rajasthan.

----Petitioners

Versus

1. State Of Rajasthan, Through Principal Secretary Rural Development And Panchayati Raj Department, Government Of Rajasthan Secretariat, Jaipur.
2. Principal Secretary, Education Department (Elementary) Government Of Rajasthan Secretariat, Jaipur.
3. The Director, Elementary Education Rajasthan Bikaner.





4. Rajasthan Staff Selection Board, Jaipur (Raj) Office Address- Agriculture Management Institution Campus Durgapura Jaipur (Raj) Through Its Chairman.
5. National Council For Teacher Education, Hans Bhawan, Wing No.2, 1 Bahadur Shah Zafar Marg, New Delhi - 110002, Through Its Secretary.
6. Rehabilitation Council Of India (Rci), Office Address- B-22 Qutub Institution Area New Delhi -110016 Through Its Secretary.

-----Respondents

For Petitioner(s) : Mr. Sushil Bishnoi and  
Mr. Rahul Mandan

For Respondent(s) : Mr. Vivek Sharma on behalf of  
Mr. Mukesh Dave, AGC and  
Mr. Monal Chugh

**HON'BLE MR. JUSTICE MUNNURI LAXMAN**

**Order**

**03/11/2025**

1. The challenge in the present writ petition is to the action of the respondents in not treating the petitioners as eligible in terms of the qualifications prescribed under the advertisement for the post the of Teacher Grade III Level-II- (Special Education).
2. The case of the petitioners is that the respondents issued an advertisement dated 16.12.2022 for filling the various posts, including the post of Teacher Grade III, wherein the prescribed qualification was B.Ed. in Special Education.
3. The petitioners possess a B.Ed. qualification and also hold a two-year Post Graduate Diploma in Special Education. According to the learned counsel for the petitioners, the combination of both qualifications ought to be treated as equivalent as to B.Ed. in Special Education. In support of this contention, reliance has been





placed upon the decision of the Hon'ble Apex Court in '**Manoj Kumar Sharma & Ors. v. The State of Rajasthan & Ors.**' Civil Appeal No. 8140/2024, wherein a similar controversy was considered. The Hon'ble Apex Court held that a general B.Ed. Degree coupled with a one-year Post Graduate Professional Diploma in Special Education (PG PD-SE) constitutes an equivalent qualification to a B.Ed in Special Education. In the present case, however, the petitioners possess a two-year Post Graduate Diploma qualification along with a B.Ed. degree.

4. This case stands on a better footing than the one considered by the Hon'ble Apex Court in '*Manoj Kumar Sharma & Ors.*' (*supra*).

5. The learned counsel appearing for the respondents does not dispute the said law laid down by the Hon'ble Apex Court in case of '*Manoj Kumar Sharma & Ors.*' (*supra*), the relevant paragraphs of the judgment is as follows:-

*"...14. In view of the above, we are of the opinion that there is no difficulty for the State Government in considering the case of the appellants who possess a B.Ed. (General education) along with a one-year Post Graduate Professional Diploma in Special Education (PG PD-SE) as equivalent to the prescribed qualification in the advertisement.*

*15. We are aware of the fact that the advertisement was issued way back on 31<sup>st</sup> July, 2018, and the process of recruitment would have been over by now. However, if there are any vacancies left, we direct the respondents to consider the case of the appellants and pass necessary orders within 30 days from the date of receipt of a copy of this order...."*

6. The learned counsel for the respondents submits that the case of the petitioners would be considered only if they fulfill the merit criteria and if the vacancies exist in the category for which the petitioners have applied.





7. In the light of the above judgment of the Hon'ble Apex Court, the respondents are directed to treat the qualifications held by the petitioners, i.e., B.Ed. General and a two-year Post Graduate Diploma in Special Education, as equivalent to a B.Ed. in Special Education. The respondents shall consider the cases of the petitioners for appointment, subject to their fulfilling the merit criteria and availability of vacant posts pursuant to the advertisement in which the petitioners had appeared. The aforesaid exercise shall be completed within a period of two months from the date of this order.

8. With the aforesaid directions, the writ petitions stand **disposed off.**

**(MUNNURI LAXMAN),J**

19-21-KshamaD/-

