

2025:PHHC:114880-DB

CWP-24276-2019 (O&M)  
Date of Decision: 27.08.2025

Naveen Kumar and others ...Petitioners

V.

State of Haryana and others ...Respondents

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA  
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Ms. Shruti Jain Goyal, Advocate for the petitioners.

Mr. Varun Gupta, DAG, Haryana.

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**ASHWANI KUMAR MISHRA, J. (Oral)**

1. Petitioners have challenged the Haryana School Education (Group C) State Cadre Service Rules, 2012 (for short 'the Rules, 2012'), wherein, Appendix-B at Sr. No.5 prescribes the qualification for TGT (English) at variance with the regulations framed issued by the National Council for Teachers Education (NCTE) dated 29.07.2011.

2. It is contended that the prescription of qualification has to be as per the NCTE regulations and the rules of the State cannot be relied upon to deny consideration to the petitioners' claim for promotion only because the service rules are inconsistent with the NCTE guidelines.

3. It is undisputed that the Rules, 2012, are amended by the Amendment Rules, 2021 and the prescription of qualification has now been

made in consonance with NCTE regulations. In such circumstances, substantial relief claimed by the petitioners has already been granted.

4. We further clarified that once the NCTE regulations are held to be determinative of qualification prescribed for the post, the claim of the petitioners for promotion cannot be non-suited by relying upon the un-amended service rules which were inconsistent with the NCTE guidelines of 2011. Petitioners' claim for promotion has to be dealt with as per the qualification prescribed in the NCTE regulations, once it has become applicable.

5. The petition is accordingly disposed of with a direction upon the respondents to accord consideration to the petitioner's claim for promotion, keeping in view the promotion of juniors to the petitioners, in accordance with the NCTE Regulation of 2011 and such claim would not be discarded only because by then Rules of 2012 contained a different prescription of qualification. Required action in this regard would be taken within three months.

6. All pending misc. application(s), if any, also stand disposed of.

**(ASHWANI KUMAR MISHRA)**  
**JUDGE**

**(ROHIT KAPOOR)**  
**JUDGE**

27.08.2025

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1. Whether speaking/reasoned?	:	Yes/No
2. Whether reportable?	:	Yes/No