IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No. 14544 of 2026
Decided on: 29.10.2026

Banita Devi **.....Petitioner**

Versus

State of HP and Ors **.....Respondents**

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?[1]

For the Petitioner: Mr. Kamal Sharma, Advocate.

For the Respondents: Mr. Sikandar Bhushan, Deputy Advocate General for respondents No. 1 and 3.

Mr. Vishwajeet Singh, Advocate, for respondent No.2.

Jyotsna Rewal Dua, Judge

Petitioner's grievance was noticed as under in the order passed in this writ petition on 01.10.2026:-

> *"The respondents have placed on record office instructions, however, these office instructions do not address the grievance of the petitioner.*
>
> *Petitioner's grievance is that the minimum essential qualifications for the post of English Teacher, as prescribed under the Recruitment & Promotion Rules and also published in the advertisement dated 29.01.2026, were as follows:*

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[1]**Whether reporters of print and electronic media may be allowed to see the order? Yes.**

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English Teacher Post Code- 26002	*Essential qualification(s) M.A English with 50% marks in Graduation with B.Ed, and teaching of English as compulsory subject in B.Ed. (B.A B.Ed./B.Com. B.Ed./B.Sc. B.Ed. will be eligible), The applicant must have passed Graduation (including B.Ed.) with a minimum of 50% marks AND 55% marks in English at Graduation level. SC/ST/OBC candidates should have at least 45% marks in Graduation (and 45% marks in B.Ed) AND 50% marks in English at Graduation level.*

According to the petitioner, she is M.A. in English, with B.Sc. and B.Ed. degrees to her credit. The petitioner asserts that she satisfied the eligibility criteria. Her candidature has been wrongly rejected by respondent No. 2-H.P. Rajya Chayan Aayog, Hamirpur.

Respondent No. 2-H.P. Rajya Chayan Aayog, Hamirpur, in its instructions placed on record, asserts that the petitioner had studied English as a subject only for one year and not throughout the graduation course; The petitioner does not satisfy requirement of teaching English as a compulsory subject during the B.Ed. course.

In view of the minimum qualification for the post laid down in the advertisement vis-a-vis the grievance of the petitioner, let respondents No. 1 and 3 place on record their detailed response/reply within two weeks.

Reply, if any, on behalf of respondent No.2, be also filed by the next date.

List on 28.10.2026."

2. Pursuant to above, respondent No. 2 has filed its reply clarifying that essential qualifications for the post in question, as prescribed, expressly stipulate that

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candidate must possess M.A. in English, prescribed percentage of marks at graduation level, B.Ed. qualification, and teaching of English as a compulsory subject in B.Ed.

3. The above is not disputed for the petitioner and is otherwise a matter of record. In fact, advertisement prescribes minimum percentage requirements in graduation and in English at the graduation level. Advertisement stipulates requirement of B.Ed. with teaching of English as compulsory subject.

Admittedly, petitioner has not studied teaching of English as a compulsory subject in her B.Ed. Course. This being the admitted position, the respondent No. 2 has justifiably rejected the candidature of the petitioner for the post in question. Hence, no interference is required in the impugned action. The writ petition is accordingly dismissed.

Pending miscellaneous application(s), if any, also to stand disposed of.

Jyotsna Rewal Dua
Judge

October 29, 2026
R.Atal

High Court of H.P.

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