

HIGH COURT OF TRIPURA
AGARTALA
W.A. 6/2026

- 1. Sri Dilip Sarkar**, Son of Late Ramdhan Sarkar, Resident of village Chechuria, P.O. Chechuria, P.S. Sidhai Mohanpur, District: West Tripura, PIN:799210;
- 2. Sri Ripan Das**, Son of Sri Sanjit Das, Resident of village: Rajendra Nagar P.O. Kemtali, P.S. Melaghar, District: Sepahijala, PIN:799115;
- 3. Sri Diptanu Das**, Son of Sri Nripendra Das, Resident of village: Kemtali, P.O. Kemtali, P.S. Melaghar, District: Sepahijala, PIN:799115;
- 4. Sri Abhiram Majumder**, Son of Haripada Majumder, Resident of village: Gopalnagar, P.O. Kalkalia, P.S. Sidhai Mohanpur, District: West Tripura, PIN: 799211;
- 5. Sri Rohan Sharma**, Son of Sri Rajkumar Sharma, Resident of Gangagatipur, P.O. Mohanpur, P. S. Sidhai Mohanpur, District: West Tripura, PIN: 799211;
- 6. Sri Babujit Nag**, Son of Sri Rinku Nag, Resident of Purathal Rajnagar, P.O. Purathal Rajnagar, P.S. Modhupur, District: Sepahijala, PIN:799102;
- 7. Smt. Subarna Dey**, Daughter of Saibal Kumar Dey, Resident of Sonamura, P.O. & P.S. Sonamura, District: Sepahijala, PIN: 799131;
- 8. Emran Hussain**, Son of Warich Ali, Resident of Latiapura, P.O. Latiapura, P.S. Irani, District: Unokoti, PIN: 799281;
- 9. Hriday Banik**, Son of Shyamal Banik, Resident of Ramkrishna Sarani, Pabiacherra, P.O. Kumarghat, P.S. Kumarghat, District: Unokoti, PIN:799264;

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Versus

- 1. The State of Tripura**, Represented by its Special Secretary, School Education Department, Government of Tripura, New Secretariat Building, P.O. Secretariat, P.S. New Capital Complex, District: West Tripura, PIN: 799010;
- 2. The Director of Elementary Education**, Directorate of Elementary Education, Government of Tripura, Siksha Bhavan, Office Lane, P.O. Agartala, P.S. West Agartala, District: West Tripura, PIN:799001;
- 3. The Teachers Recruitment Board**, Tripura (TRBT), Represented by its Member Secretary, Siksha Bhawan, Office Lane, P.O. Agartala, P.S. West Agartala, District: West Tripura, PIN:799001.

4. The Controller of Examinations, Teacher's Recruitment Board, Tripura (TRBT), Siksha Bhavan, Office Lane, P.O. Agartala-799001, P.S. West Agartala, District: West Tripura;

----Respondents

For the Appellant(s) : Mr. A. Bhaumik, Advocate

For the Respondent(s) : Mr. K. De, Addl. GA

Date of hearing and delivery:

of Judgment & Order : **28.01.2026**

Whether fit for reporting : **Yes/No**

BEFORE
HON'BLE JUSTICE DR. T. AMARNATH GOUD
HON'BLE MR. JUSTICE S. DATTA PURKAYASTHA
JUDGMENT & ORDER (ORAL)

(Dr.T.Amarnath Goud, J)

Heard Mr. A. Bhaumik, learned Counsel appearing for the appellants. Also heard Mr. K. De, learned Additional GA, appearing for the respondents.

2. By means of filing this writ appeal, the appellants herein, challenged the judgment and order dated 12.12.2025 passed by a Single Judge of this High court in WP(C) 379 of 2025.

3. Shortly stated, the original writ petitioners, have enrolled themselves in D.El.Ed/ B.Ed program and have appeared in the final examination of the two years in D.El.Ed/ B.Ed program and are waiting for their result. They are admitted and pursuing in D.El.Ed/B.Ed course, and have already possessed the academic qualification i.e. H.S(+2) for appointment as Teacher at Elementary level. The TRBT issued Prospectus-Cum-Instruction for Teachers Eligibility Test, 2024: Paper-I and Paper-II. By virtue of said Prospectus-Cum-Instruction, the TRBT allowed the candidates who are pursuing Teachers Training courses i.e. B.Ed or D.El.Ed to appear for the TET examination provisionally on condition that the candidates will have to produce their final mark-sheet/ certificate of the

Teachers Training Course at the time of Scrutiny of Documents. Note- d of the Clause 1B of the Prospectus-Cum-Instruction required the candidates to produce their mark sheet/certificate at the time of scrutiny of documents failing which their candidature was liable to be cancelled. The original writ petitioners who were pursuing the Teachers Training Course i.e. D.El.Ed or B.Ed applied against the Prospectus-Cum-Instructions and were allowed to appear in the TET Examination. The petitioners therefore pray for issuance of TET certificate in their favour upon successful completion of TET examination and also for quashing Note-d of Clause 1(B) of the Prospectus cum Instruction of T-TET 2024 and the clause in the notice dated 26.06.2025. After hearing learned counsel for the parties to the *lis*, learned Single Judge disposed of the writ petition with a direction to consider the candidature of the petitioners within a stipulated period. For convenience, operative part of the judgment and order dated 20.12.2025 is reproduced hereunder:

"12. However, from the notice dated 18.11.2025 issued by the Controller of Examinations, TRBT it appears that certain dates have been fixed by the authority for distribution of certificates of T-TET, 2024 this it appears to this Court that the entire process of said T-TET examination has not yet been completed till today and as such considering the facts and circumstances of this case it appears to this Court that a direction be given to the respondents authority to consider the candidature of the present petitioners if by this time they have completed their relevant technical education.

13. In the result, the writ petition filed by the present petitioners stands disposed of with a direction to the respondents to consider the candidature of present nine petitioners within a period of two months from the date of receipt of copy of this judgment/order provided that the petitioner by this time have/had completed their education and produce their relevant pass marksheets/pass certificates of the technical education for scrutiny of the authority and also that they have qualified their T-TET examination, 2024 as per the eligible criteria laid down by the authority. This judgment cannot be applied as a precedent in other case."

4. Mr. Bhaumik, learned counsel for the appellant has submitted that the Prospectus cum Instruction is to be considered as Notification. Mr. Bhaumik has also argued that in all manner NCTE guidelines has to be followed by TRBT while conducting T.TET. Learned counsel has also urged this court to interfere with Note (d) of the Prospectus cum Instruction. Learned counsel Mr. Bhaumik, also has submitted that if the original

petitioners are not issued by TET certificate and if the representations dated 20.06.2025 and 26.06.2025 submitted by the petitioners, are not considered there would be violation of principle of natural justice. However, submission of learned counsel on other legal points and citations, are not worthy for consideration, at this stage.

5. Per contra, Mr. De, learned Additional GA appearing on behalf of the respondents submits that on apprehension the writ petitioners had approached the writ court and the writ court has rightly declined the relief as prayed for.

6. This court has meticulously gone through the records from where it is evident that the original writ petition is not maintainable on the point that there was no impugned order and the writ petition has been filed challenging the clauses in the Prospectus. The Prospectus is nothing else but a publicity material and the same is not a Notification. However, considering the fact that the original writ petitioners are anticipating for a bright future, thus, keeping their career in mind, this court is not interfering with the order passed by the learned Single Judge. So far as, the prayer made by the learned counsel for the appellants to modify the order passed by the learned Single Judge cannot be accepted. It is seen from the record that there is no impugned order but, there is action which can be taken into consideration where the representations made by the original writ petitioners dated 20.06.2025 and 26.06.2025 (Annexures 50 and 51 to the writ petition), according to the petitioners stood undecided, and they were not aware of the reasons for which their candidatures were not considered by the respondents. As there is no impugned order, the petitioners assailed the clauses of the Prospectus only under apprehension and approached this Court under 226 of

the Constitution of India, and thus, the same cannot be invoked on speculative grounds. The ground of apprehension is found not to be genuine from the materials placed on record before this Court since there is no impugned order, hence, the writ petition itself is not maintainable. Moreover, the judgment of the Hon'ble Supreme Court as relied upon by the learned counsel for the appellants in *Omkar Singh and ors. Vs. State of Uttar Pradesh and ors.*, reported in (2021) 14 SCC 486, wherein the notification issued by the respondent was under challenge and the same came to be examined but, in the instant case there is no such notification issued by the respondents and the Prospectus merely cannot be treated as a Notification since Prospectus is only an advertising material.

7. In view of the same, taking leniency view in favour of the original writ petitioners, the writ appeal stands disposed of directing the respondents to pass a speaking order on the representations, if not already decided by the respondents, within the stipulated time, as observed by the learned Single Judge. However, this Court is granting liberty to the appellants to approach the court again if the apprehended action actually takes place.

Pending application(s), if any, also stands disposed.

S.DATTA PURKAYASTHA,J

DR.T. AMARNATH GOUD,J

**SAIKAT
KAR**

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