

18. 12. 2023

BP
Sl.21
Court No. 17

WPA 20738 of 2023

Md. Zasimuddin Sk.
Vs.
State of West Bengal & Ors.

Ms. Shetparna Ray
..for the petitioner

Mr. Saikat Banerjee
Mr. Kaushik Chowdhury
..for the Board

Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee
..for the State

The petitioner's grievance is for not allowing him in the interview of 2022 recruitment process despite he has every qualification like qualified in TET-2014 and training qualification.

Learned advocate for the West Bengal Board of Primary Education has drawn my attention to the training qualification certificate of the petitioner (vide page 21 of the writ application) wherefrom it appears that the petitioner is a Bachelor of Education but the Supreme Court in one judgement passed in Devesh Sharma vs. Union of India reported in 2023 SCC OnLine SC 985 has declared that B.Ed. qualified candidates are not eligible for the primary teachers' post. Therefore, the Board made no mistake by not

allowing the petitioner in the interview process of 2022 recruitment process.

Learned advocate for the petitioner has also drawn my attention to one certificate of the petitioner in Professional Development Programme for Elementary Teachers and submits that the notification of NCTE dated 28th June, 2018 more particularly at paragraph 2 says recognition of B.Ed. qualification for the persons who underwent a six month Bridge Course in Elementary Education etc. This paragraph does not help the petitioner as the whole qualification of B.Ed. has been negated by the Hon'ble Supreme Court. Therefore, this paragraph 2 of the NCTE's notification dated 26.06.2018 (vide page 25 of the writ application) does not come to the aid of the petitioner. Therefore, in view of the Supreme Court's judgement in respect of B.Ed. candidates as has been referred hereinabove, I do not find any merit in this writ application and the same is dismissed.

(Abhijit Gangopadhyay, J.)

