

19-04-2024
ct no. 13
Sl. 31
sp

WPA 4017 of 2021
With
CAN 2 of 2024
Tuhin Subhra Mondal & Ors.
-Versus-
State of West Bengal & Ors.

Mr. Ayan Poddar,
Mr. Soham Dutta

...for the petitioners

Mr. Saikat Banerjee,
Mr. Ratul Biswas,
Mr. Kaushik Chowdhury

...for the WBBPE

Re: CAN 2 of 2024

1. Counsel for the petitioners produces an order of the Hon'ble Supreme Court dated April 8, 2024 (Devesh Sharma Vs. Union of India & Ors.) passed in Miscellaneous Application Diary No. 4303 of 2024 arising out of the judgment and order dated August 11, 2023 in C.A. No. 5068 of 2023 passed by the Hon'ble Supreme Court.
2. It appears from the order that the judgment of Devesh Sharma (supra) dated August 11, 2023 holding that B. Ed. is not a valid qualification for recruitment to the post of Assistant Teacher in the primary school, has been made to apply prospectively. There is yet another clarification issued by the

Hon'ble Supreme Court in the internal pages 7 and 8 of the judgment. The benefit of the B. Ed. degree and an exception to the judgment dated August 11, 2023 was allowed to those who were appointed prior to the date of decision, i.e., August 11, 2023 (supra). Since the petitioners have not been so appointed, no relief can be granted to the petitioners.

3. CAN 2 of 2024 shall stand dismissed.
4. Consequently, the writ petition shall also stand dismissed.
5. There will be no order as to costs.
6. Copy of the judgment of the Hon'ble Supreme Court is kept on record.
7. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)