

24.07.2024.
PB
Sl. No.18.
Ct. No.14.

**In The High Court At Calcutta
Constitution Writ Jurisdiction
Appellate Side**

WPA 13856 of 2023

Sahabuddin Faruk & Ors.
Vs
The State of West Bengal & Ors.

Mr. Tarun Jyoti Tewari,
Ms. Kausiki Bose.
.....for the petitioners.

Mr. Kaushik Chaudhury.
.....for the WBBPE.

Mr. Bhaskar Prasad Vaisya,
Mr. Nilay Baran Mandal.
.....for the State.

The facts of the case have been succinctly
recorded in the order dated 9th July, 2024.

Learned advocate representing the Board fairly
submits that the petitioners have obtained the
D.El.Ed. training in the academic session 2014-2016.
Because of the delay on the part of the Board to issue
the training certificate, the petitioners were treated as
untrained candidates and appointment was given to
them from the untrained panel.

The petitioners, being treated as trained
candidates, are already receiving 'A' category scale of

pay. By recording that the petitioners are trained candidates, no further financial benefit or other benefit will accrue in their favour.

An issue was raised with regard to the delay on the part of the petitioners in approaching the Court claiming themselves to be trained candidates.

It has been submitted by the learned advocate representing the petitioners that they have approached this Court only after issue was raised with regard to their training and if the petitioners are treated as untrained candidates, they may lose their job.

A candidate, who has already passed the D.El.Ed. examination, cannot be treated as an untrained candidate, even if the training certificate is issued in his favour at a delayed point of time. Once the petitioners have become successful in the D.El.Ed. training, they have to be treated as trained ones, despite the fact of getting the training certificate at a delayed point of time. Their training will relate back to the 2014-2016 course.

In view of the above, the West Bengal Board of Primary Education is directed to treat the petitioners as trained candidates of the D.El.Ed. 2014-2016 course. The petitioners are already receiving the benefit of the training and accordingly, no further benefit is required to be given to the petitioners.

The Board is directed to take necessary steps to correct the official records by treating the petitioners as trained candidates.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)