

20.08.2024
Ct. No.14
Sl. No.80
KB

**In The High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A. 20417 of 2024

**Payel Mazumder and Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Kalyan Bandopadhyay, Ld. Sr. Adv.
Mrs. Pramiti Bandopadhyay
Mr. Rahul Kumar Singh
Mr. Subhajit Das
... For the petitioners.

Mr. Dipanjan Datta, Ld. Sr. Govt. Adv.
Mrs. Sukanya Datta
... For the State.

Mr. Ratul Biswas
Mr. Kaushik Chowdhury
... For the WBBPE

The petitioners submit that the facts of their case are similar to the facts of the case in WPA 13856 of 2023 (Sahabuddin Faruk & Ors. Vs. The State of West Bengal & Ors.). The petitioners obtained D.El.Ed. training in the academic session 2014-2016 but because of the delay on the part of the Board to issue the training certificate, the petitioners were treated as untrained candidates and appointments were given to them from the untrained panel.

The Court in Sahabuddin Faruk & Ors. (supra) disposed of the writ petition by observing that a candidate who had 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.

Receipt showing deposit of deficit court fees be retained with the records.

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

(Amrita Sinha, J.)