

63
31.07.2024
Ct. No.02
NB

HIGH COURT AT CALCUTTA
In The Circuit Bench At Jalpaiguri
Appellate Jurisdiction

WPA 1322 of 2023
CAN 1 of 2024

Achinta Kumar Basu & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Tarunjyoti Tewari,
Mr. S. K. Abdur Rahim.
...for the petitioners.

Ms. Supriya Singh
...for the petitioner nos.1,3,5,6,7,10,11,12.

Mr. Bikramiditya Ghosh.
...for the WBBPE.

Mr. Subir Kumar Saha,
Mr. Momenur Rahman.
...for the State.

Affidavit of service filed on behalf of the petitioners
are taken on record.

Learned counsels appearing on behalf of the
petitioners submits as follows. The petitioners enrolled for
D.El.Ed course for the session 2014-16, conducted by the
WBBPE in different districts of the State. As they had
qualified the TET examination, they were recruited as
untrained candidates by the WBBPE as at that time, they
could not produce the D.El.Ed certificates even after
completion of the course. The Board had not issued such
certificates at the date of interview. They were nevertheless
granted "A" category pay scale. However, marking them as

“not trained” could vex them in future because several connected matters have been moved challenging appointments of teachers. By an order dated 24.07.2024 passed by a coordinate Bench in *WPA 13856 of 2023*, the issue has been clarified and the West Bengal Board of Primary Education was directed to treat the petitioners as trained candidates for the D.El.Ed 2014-16 course.

Learned counsels representing the Board and the State submit that appropriate orders have been passed by coordinate Benches in similar matters.

A candidate who has already passed D.El.Ed course could not be treated as an untrained candidate even if the training certificate is issued at a subsequent stage.

In view of the above, the West Bengal Board of Primary Education is directed to treat the petitioners as trained candidates of D.El.Ed 2014-2016 course.

As the petitioners are already receiving benefits of training therefore, no further order need be passed in this regard.

Relevant records be corrected accordingly.

With these observations, the writ petition and the application being CAN 1 of 2024 are disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)