

23.12.2025
Sl. No.611(DL)
Ct. No.14
srm

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

W.P.A. No. 28661 of 2025

Bidhan Chandra Das & Ors.

Versus

The State of West Bengal & Ors.

Mr. Sudip Ghosh Chowdhury,
Ms. Shreyeta Mitra,
Ms. Pritha Biswas

...for the Petitioners.

Mr. Ratul Biswas,
Mr. Kaushik Chowdhury

...for the WBBPE.

Mr. Shiv Shankar Banerjee,
Mr. Siddharth Chamaria,

...for the NIOS.

Mr. Nabhajit Prasad Basu,
Mr. Saikat Sen

...for the State.

Mr. Prabir Bhowmick,
Ms. Farnaz Nasim

...for the Respondent No.4/UOI.

Ms. Asha G. Ghutgutia

...for the NCTE.

1. Affidavit-of-service filed on behalf of the petitioners is taken on record.
2. By the present writ petition, the petitioners seek direction upon the respondent authorities to allow the petitioner to take admission in six months bridge course, which has been notified on 25th November, 2025 by the National Institute of Open Schooling (*in short*. 'NIOS').

3. Admittedly, the petitioners are working as Assistant Teachers in primary schools under the State of West Bengal. They have passed B.Ed. course. The B.Ed. course has been declared as ineligible by the order of the Hon'ble Supreme Court passed in ***Devesh Sharma versus Union of India*** reported in **(2023) 18 SCC 339**. The petitioners previously appeared in Professional Development Programme for Elementary Teachers (*in short*, 'PDPET')-Six Months Bridge Course, 2017. However they failed to succeed in the said examination. As per the programme guide of the PDPET course the candidates are given three opportunities. After 2017, no such advertisement has been made for conducting six months bridge course. Recently, NIOS has made an advertisement on 25th November, 2025 notifying for admission in six months bridge course for those primary teachers who had been appointed with B.Ed. degree in accordance with the NCTE notification dated 28th June, 2018 and after delivery of judgment in *Devesh Sharma (supra)* on 11th August, 2023. The petitioners who have joined service in the year 2017 are unable to take admission in terms of notification dated 25th November, 2025. Hence, this writ petition.
4. Sudip Ghosh Chowdhury, learned Advocate appearing for the petitioners submits that the petitioners who are in service since 2017 need to complete the training course either six months bridge course or 2-

year D.El.Ed. course in order to continue in service. The petitioners were allowed to take admission in the six months bridge course, i.e. PDPET earlier. But they failed to succeed. Since the notification dated 25th November, 2025 does not cater to the in-service teachers prior to 2018, the petitioners are unable to take admission in the six months bridge course. He seeks for necessary direction upon the Central Government to take appropriate steps in this regard so that the petitioners are able to complete the six months bridge course.

5. Mr. Shiv Shankar Banerjee, learned Advocate appearing for the NIOS submits that notification is in respect of the teachers who were appointed with B.Ed. degree in accordance with the NCTE notification dated 28th June, 2018 and were in-service prior to the judgment of the Hon'ble Supreme Court in *Devesh Sharma(supra)*. Therefore, the petitioners who were appointed in 2017 cannot be accommodated in terms of the notification dated 25th November, 2025. However, he indicates that necessary direction be issued to the Ministry of Education, Government of India to take a decision on this issue.
6. Mr. Prabir Bhowmick, learned Advocate appearing for the Union of India submits that the opportunity is given to the candidates once. As such the petitioners who having availed of their opportunity, should not be

allowed to take admission once again to complete the six months certificate course (bridge) in primary education. However, he also submits that the decision may be relegated to the Central Government in this regard.

7. In similarly circumstanced candidates, this Court has passed orders in *WPA 14503 of 2023 (In Re: Ranjana Mukherjee & Ors. versus Union of India)* and *WPA 19588 of 2022 (In Re: Suparna Chakraborty & Ors. versus The State of West Bengal & Ors.)* with the following direction:

“8. Since the NIOS itself permits SYCT i.e. (Subject Yet to Clear in Theory), the petitioners are entitled to reattempt the said bridge course examination of PDPET course of the year 2017, examination whereof was held in the year 2019 in terms of the programme guide, the petitioners are entitled to reappear in the examination in three subsequent attempts upon payment of fees to the NIOS.

9. In these circumstances, this Court directs the NIOS to permit the petitioners to participate for the next available PDPET examination upon payment of prescribed fees and production of their credentials and documents.”

8. Accordingly, the Central Government particularly Ministry of Education, Government of India is directed to take a decision with regard to the in-service candidates prior to the year 2018 for completion of the training courses to be initiated by the appropriate authority and communicate their decision to the appropriate authority, namely the NCTE as well as NIOS.

9. With the aforesaid direction, the writ petition being **WPA 28661 of 2025** stands disposed of.
10. Since no affidavits have been called for, the allegations made in the writ petition are deemed to be not admitted.
11. Interim order, if any, stands vacated.
12. All connected applications, if any, stand disposed of.
13. There shall be no order as to costs.
14. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
15. Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)