

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 277 of 2026

Md. Belal Chowdhury
-versus
The State of West Bengal & Ors.

Mr. Golam Mustafa
Mr. Tarasankar Samanta
Mr. Kazi Asif Iqbal
... For the petitioner

Mr. Asish Guha
Mr. Joyak Kumar Gupta
... For the State

Mr. Surajit Maity
... For the respondent nos.4 to 6

1. Affidavit-of-service filed in Court today is taken on record.

2. The petitioner is aggrieved by the communication made by the Director of Pension, Provident Fund and Group Insurance on 12th December, 2025 seeking clarification from the pension sanctioning authority as regards the date from which the petitioner shall be treated as a trained candidate.

3. The petitioner refers to the order dated 5th May, 2004 passed in WP 9863 (W) of 2001 (Md. Jalauddin Ahmed v. The State of West Bengal & Ors.) wherein the petitioner was impleaded as respondent no.6. In the said matter, the Court directed that if the

petitioner herein undergoes training, his appointment shall be regularized as a trained candidate.

4. Training was obtained by the petitioner from B.N. Mondal University in Bihar. As the said University was not recognized, the B.Ed. degree of the petitioner stood cancelled. The petitioner obtained further B.Ed. degree from the University of North Bengal and certificate to that effect was issued by the University of North Bengal on 11th March, 2008.

5. Learned advocate for the petitioner contends that the benefit of B.Ed. degree ought to be given on and from the date of his appointment in terms of the order passed by the Court on 5th May, 2004.

6. The Court cannot accept such contention. The B.Ed. degree relying on which the petitioner seeks financial benefit stood cancelled and the petitioner had to obtain fresh degree in March, 2008. The Court while passing order on 5th May, 2004 could not have apprehended a situation where the B.Ed. degree relied upon by the petitioner will be cancelled.

7. The petitioner cannot be granted any benefit relying on a cancelled educational certificate. Once the degree and the certificate thereof is cancelled, the same cannot be relied upon for any purpose, far less, for obtaining financial benefit. On account of obtaining fresh B.Ed. degree from the University of North Bengal,

the petitioner would be entitled to receive the financial benefit.

8. In view of the above, the instant writ petition stands disposed of by holding that the petitioner would be entitled to receive financial benefit of the B.Ed. degree on and from 11th March, 2008, the date the B.Ed. certificate was issued in favour of the petitioner by the University of North Bengal.

9. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.

10. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)