

12.03.2026
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WPA 5789 of 2026

Md. Noor Alam Sk. & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Kamalesh Bhattacharya
Mr. Aninda Bhattacharya
.... for the petitioners

Mr. Vivekananda Bose
Ms. Deboleena Ghosh
.... for the State

Dr. Sutanu Kumar Patra
Ms. Supriya Dubey
.... for the BCSSC

1. Let affidavit-of-service, as filed in Court, be kept on record.
2. The petitioners are aggrieved by the educational qualification prescribed by the Commission for recruitment of Special Education Teachers in classes V to XII.
3. Mr. Bhattacharya, learned Advocate appearing for the petitioners submits that petitioners are diploma holders in Special Education who are eligible to be recruited as Special Education Teachers. According to the petitioners, their qualification is suited for teaching students up to the upper primary level.

4. The petitioners are aggrieved as the qualification of diploma has not been included in the recruitment notification.
5. The petitioners have approached this Court by way of the instant writ petition on March 9, 2026. They alleged that they are similarly situated as those petitioners who have been permitted to participate in the process by the orders of the Hon'ble Division Bench of this Court dated November 11, 2025, February 25, 2026 and March 5, 2026 respectively. Thus, there is no reason why the petitioners, who are pursuing Teachers Training Course (D.Ed.)(Special Education), should not be treated in a similar manner as the petitioners who have been permitted to appear in the examinations by the orders of this Hon'ble Division Bench.
6. Dr. Patra, learned Advocate appearing for the Commission, has raised a single issue inasmuch as the petitioners who are permitted by the orders of the Hon'ble Division Bench to participate in the examination had approached the Court much prior to, some time in October, 2025 while the petitioners are nothing more than fence sitters who have availed of this opportunity, which has arisen due to the orders passed by the Hon'ble Division Bench.

7. Dr. Patra, further submits that dates have already been proposed by the Commission, which is pending approval/ clearance from the State authorities. Such dates, as proposed, likely to be approved for holding the examination on March 29, 2026.
8. I have heard the learned Advocates appearing for the parties.
9. It is undeniable that the petitioners have approached this Court at a rather belated stage and this seems to be the only point of differentiation between the candidates who availed of the orders passed by the Hon'ble Division Bench and the petitioners herein.
10. It is also indisputable that the date of examination has not yet been announced and the Commission is still in the process of accepting the applications, all in offline mode by the candidates availing of the orders of the Hon'ble Division Bench dated November 11, 2025, February 25, 2026 and March 5, 2026.
11. The delay in approaching this Court would have been fatal if the Commission declared the date of examination or even if the date as fixed by the Hon'ble Division Bench i.e March 13, 2026 at 1:00P.M. for filing the offline applications, had expired.

12. The petitioners are permitted to give their requisite applications with all required documents in an offline mode before the Chairman of the Commission or any other competent officer, that may be deputed by the Chairman with the offline application preferably by the date and time provided by the Hon'ble Division Bench i.e. March 13, 2026 by 1:00P.M. If the Commission is unable to accept such applications by the aforestated date, the Commission will notify the petitioners of the extended date and time by which such applications are to be filed with the aforestated authorities.
13. With the aforestated directions, the writ petition is, thus, disposed of.
14. Needless to mention that this order will not create any precedence in respect of any further application.
15. There shall, however, be no order as to costs.
16. Urgent photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Reetobroto Kumar Mitra, J.)