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13.05.2026
Ct No.11
rrc

MAT 605 of 2026
with
IA No. CAN 1 of 2026
(The West Bengal Central School Service Commission
Vs. Raju Mondal & Ors.)

Dr. Sutanu Kumar Patra
Ms. Supriya Dubey
... For the appellant

Mr. Kamalesh Bhattacharya
Mr. Anindya Bhattacharya
**... For the writ petitioners/
respondents**

The present appeal has been preferred by the West Bengal Central School Service Commission (hereinafter referred to as the Commission) challenging an order dated 12th March, 2026 passed by the learned single Judge in a writ petition being WPA 5784 of 2026 which was preferred by the private respondents herein primarily praying for issuance of necessary direction upon the appellant to allow them to participate in the recruitment process in respect of Upper Primary Level School for Special Education with qualification D.Ed. (Special Education) in Teachers Eligibility Test 2025 (in short, TET) and 1st State Level Selection Test 2025 (in short, SLST) as per notification dated 9th September, 2025 upon accepting the application *offline* or *online* and to allow them to get admit cards to be issued by appropriate authority for such

participation in the recruitment process for Schools V to VIII (Special Education).

By the order impugned, the learned single Judge disposed of the writ petition permitting the writ petitioners to give their requisite applications with all required documents in an *offline* mode before the Chairman of the Commission or any other competent officer, who may be deputed by the Chairman preferably by the date and time provided by the Hon'ble Division Bench i.e., 13th March, 2026 by 1.00 p.m. It was further directed that if the Commission is unable to accept such applications by the aforesaid date, it shall notify the writ petitioners of the extended date and time by which such applications are to be filed. Such directions were issued negating the contention of the Commission that the writ petitioners cannot claim such benefit as they had approached the Court belatedly and are trying to take advantage of an order passed by a coordinate Bench of this Court pertaining to the same recruitment process.

Dr. Patra, learned advocate appearing for the Commission submits that the notification for TET 2025 and 1st SLST for recruitment to Special Education Teachers in Government aided/sponsored High/Higher Secondary Schools in West Bengal was published on 9th September, 2025 specifying, *inter*

alia, that the online portal would be open till 24th September, 2025. The private respondents herein did not approach the Court immediately thereafter and waited till the decision of this Court in matters where the writ petitioners therein had approached contemporaneously.

Mr. Bhattacharya, learned advocate appearing for the writ petitioners/respondents denies the contention of Dr. Patra and submits that the private respondents have already obtained Diploma in Education (Special Education) under the extant rules and as such, participation in TET cannot be restricted only amongst degree holders. Accepting such contention in similar matters, directions have been issued for acceptance of all applications of Diploma holders to participate in TET examination. No different yardstick can be applied in respect of the private respondents herein and as such, the learned single Judge rightly exercised discretion in their favour. Judicial propriety demands that the findings arrived at on the rudiments of similar facts by another Court should be given respect and should be followed.

We have heard the learned advocates appearing for the respective parties and considered the materials on record.

A perusal of the notification dated 9th September, 2025 would reveal that the educational qualification including the professional qualifications for participation in TET had been specified as '*B.Ed. with a recognized qualification (Certificate/Diploma) from an RCI approved Institute equivalent to B.Ed. in Special Education and possessing a valid RCI CRR number*'. The document annexed at page 179 of the stay application would reveal that the Rehabilitation Council of India (in short, RCI) had already declared that a teacher with a D.Ed. (Special Education) is eligible to teach up to the 8th grade.

Taking into account the fact that the grievance of the private respondents herein is confined only to the denial of their right to participate in TET 2025, a coordinate Bench of this Court has already issued necessary direction to accept and allow participation of diploma holders. Answering our query, Dr. Patra submits that initially a date for holding the examination was proposed to be in the month of March, 2026. However, till date, no examination has been held and no proposed date for such examination has yet been notified.

In the said conspectus and taking into account the fact that the examination is not over, permission was granted to the private respondents to file

requisite applications with all required documents in an *offline* mode.

We do not find any infirmity in the order impugned and accordingly, no interference is called for in the present appeal.

The appeal and the connected application are dismissed.

There shall, however, be no order as to costs.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this court.

(Partha Sarathi Chatterjee, J.) (Tapabrata Chakraborty, J.)