

08.04.2026  
Ct. No.24  
Sl. No.292  
akd

**W. P. A. 8590 of 2026**

***[Iftkhar Alam & Ors. -Vs- The State of West Bengal & Ors.]***

Mr. Biswaroop Bhattacharya  
Ms. Anusmita Bhattacharya  
Ms. Rainaa Das

... ... for the petitioners

Mr. Parashar Baidya

... ... for respondent nos.3 to 6  
[Baba Saheb Ambedkar Education University]

Mr. Sumitava Chakraborty  
Mr. Sayantan Kar

... ... for respondent no. 7  
[Shibnath Saha Teachers Training College]

Ms. Asha G. Gutgutia

... ... for respondent no. 8  
[National Council for Teachers Education Institute]

Mr. Swapan Kumar Datta .. ld. Government Pleader  
Mr. Rajat Dutta  
Mr. Anirban Datta

... ... for the State

1. Affidavit-of-service filed in Court today is taken on record.
2. The petitioners are students pursuing B.Ed. degree from the respondent no.7, a college affiliated to the respondent no.3.
3. The petitioners are aggrieved that they had not been able to sit for the examination of the 2<sup>nd</sup> semester, which can only be taken along with the examination of the 4<sup>th</sup> semester. The petitioners are not enrolled for the 2<sup>nd</sup> semester and the 3<sup>rd</sup> semester.
4. Mr. Biswaroop Bhattacharya, learned Advocate appearing for the petitioners submits that in terms of Rule 12.4 of the Curriculum Structure for Two-Year Teacher Education Programmes (B.Ed. and M.Ed.) in West Bengal following NCET Regulations, 2014 (hereinafter referred to as the '*said*

*Regulations'*), students are entitled to take the examination for the 1<sup>st</sup> semester in which they have been unsuccessful as supplementary while sitting for the 3<sup>rd</sup> semester. Likewise, if a student is unsuccessful in any paper in the 2<sup>nd</sup> semester, he can take the same as a supplementary while appearing for the 4<sup>th</sup> semester. Hence, the petitioners ought to be allowed to take the examination of the papers in the 2<sup>nd</sup> semester at present, along with the 3<sup>rd</sup> semester examination.

5. Mr. Parashar Baidya, learned Advocate appearing for the respondent nos. 3 to 6 (Baba Saheb Ambedkar Education University) submits that this is wholly impermissible as the clause itself specifies that for any paper in the 2<sup>nd</sup> semester, a candidate will have to wait for the examination of the 4<sup>th</sup> semester. Hence, if the petitioners intend to take regular examinations for the 2<sup>nd</sup> semester, they will have to wait for the 4<sup>th</sup> semester examination. Mr. Baidya further submits that in any event the petitioners are absolutely disentitled for sitting in the 3<sup>rd</sup> semester examination not only because they have not enrolled themselves but also because of the fact that they have not enrolled themselves for the 2<sup>nd</sup> semester. Thus, there is no question of the petitioners taking the regular examination of the 2<sup>nd</sup> semester along with the 3<sup>rd</sup> semester examination. Mr. Baidya has placed reliance on Regulations 4(j) and (o) of the afore-stated regulations.

6. Mr. Baidya further submits that the petitioners, all of whom are outstation students, have not participated in the regular classes and have deliberately approached this Court to disrupt the entire process by seeking a concession from the University. The 2<sup>nd</sup> and 3<sup>rd</sup> semester examinations are amongst

the most important as they involve practical training and classes, which the petitioners, intending teachers, have not attended. Mr. Baidya draws attention of this Court to a circular of the National Council for Teacher Education (NCTE) dated November 15, 2019 wherefrom he relies on the fact that attendance of a student to any college is now easily accessible on account of biometric mechanics.

7. Mr. Sumitava Chakraborty, learned Advocate appearing for the respondent no.7 (Shibnath Saha Teachers Training College) submits that it is true that the petitioners had never enrolled themselves for the 2<sup>nd</sup> semester and thereby could not have enrolled themselves for the 3<sup>rd</sup> semester. This was on account of their engagement in the election held in the State of Bihar sometime in the year 2025. It is also admitted by Mr. Chakraborty that the petitioners, on account of their other engagements, did not attend any classes physically in the 2<sup>nd</sup> and 3<sup>rd</sup> semester respectively.

8. I have heard the learned Advocates appearing for the respective parties and perused the materials on record.

9. It is a rather unfortunate and unforeseen circumstance. The petitioners who are all studying to become teachers by virtue of this degree (B.Ed.) have been put in a situation where they cannot appear for the examination of the 3<sup>rd</sup> semester, let alone taking the examination which they missed of the 2<sup>nd</sup> semester. However, the petitioners have no one else but themselves to blame for this unfortunate situation.

10. The 2<sup>nd</sup> semester which came to an end sometime on December 5, 2025 seems to have been completely ignored by the petitioners. I say ignored consciously as the petitioners had

not enrolled themselves nor taken any steps to seek enrolment either from the college or from the University. The complete apathy of the petitioners is also visible from the fact that they did not participate nor took any steps to obtain any leave or permission to participate in the examination of the 2<sup>nd</sup> semester. It is only now that the petitioners have approached this Court seeking leave to sit for the 2<sup>nd</sup> semester examination along with the 3<sup>rd</sup> semester examination. This is clearly impermissible and any such leave would result in disruption of the Regulations which have been formulated by the NCTE and is being followed by the University.

11. On the other count, even if the petitioners were to be permitted to sit for the 3<sup>rd</sup> semester examination, it would require a complete derailment of the Regulations as the petitioners have not enrolled themselves for the 3<sup>rd</sup> semester neither could they have, not having participated in the 2<sup>nd</sup> semester. However, the petitioners' *bona fides* would have been well expressed, had they approached this Hon'ble Court any time immediately after the 2<sup>nd</sup> semester examination was over. The petitioners waited for at least three months to approach this Court.

12. The delay even if not attributable to any mala fide of the petitioners is clearly attributable to their negligence. Condoning such negligence would not just require a concession from the University but would also warrant an interpretation of the Regulations which would be contrary to its general interpretation and would result in an administrative mayhem and disruption of the ongoing process, which will culminate in the commencement of examination from April 13, 2026.

13. In the circumstances afore-stated, the petitioners cannot be permitted to sit for the examination at this stage and must await for their turn to take the 2<sup>nd</sup> semester examination as regular candidates upon fresh enrolment, as and when the same is undertaken by the University.

14. In view of the afore-stated observations and discussions, the writ petition fails and is accordingly, dismissed.

15. There shall be no order as to costs.

16. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

**(Reetobroto Kumar Mitra, J.)**