

06.02.2026
Sl. No. 23
Ct. No.14
AN

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

WPA 27687 of 2025

**RABIUL AWAL AND ORS.
VS.
STATE OF WEST BENGAL AND ORS.**

Mr. Ali Ahsan Alamgir
Ms. Rabia Khatoon
Ms. Soma Mal
Ms. June Modak

...for the Petitioners.

Mr. Amal Sen, Id. AAG
Mr. Jayanta Samanta
Ms. Debdooti Dutta

...for the State.

Mr. Subir Sanyal, Sr. Adv.
Mr. Ratul Biswas
Mr. Kaushik Chowdhury

...for WBBPE.

Ms. Asha G. Gutghutia

...for NCTE.

1. By the present writ petition the petitioners seek for direction upon the West Bengal Board of Primary Education (*in short*, 'WBBPE') to declare the petitioners who are candidates of 2-year Diploma in Elementary Education (*in short*, 'D.El.Ed.') course for the session 2023-2025 to be eligible to participate in the recruitment process in terms of Notification being Memo No.2141/ WBBPE/2025/59R-09/2024 dated 25th September, 2025 read with Notification being Memo No.2367/ WBBPE/2025/59R-09/2024 dated 19th

November, 2025 and also for publication of results of D.El.Ed.

2. The petitioners contend that they have all qualified in Teachers' Eligibility Test, 2022 (*in short, 'TET 2022'*) with B.Ed. qualification. The petitioners have taken admission to 2-year course in D.El.Ed. for the session 2023-2025. The petitioners have completed the D.El.Ed. course 2023-2025 and appeared in the final examination. The results of the said course are awaited. On the basis of being qualified in TET 2022 and having completed D.El.Ed. course, the petitioners intend to participate in the ongoing recruitment process, which has been initiated by WBBPE in terms of its notification dated 25th September, 2025 read with notification dated 19th November, 2025.
3. Upon hearing learned Advocates for the respective parties following issues have fallen for consideration:
 - i) Whether the petitioners who have qualified in TET, 2022 is eligible to participate in the recruitment process initiated vide Notification being Memo No.2141/WBBPE/2025/59R-09/2024 dated 25th September, 2025 read with Notification being Memo No.2367/WBBPE/2025/59R-09/2024 dated 19th November, 2025?
 - ii) Whether the petitioners who have completed D.El.Ed. course but results are yet to be declared

can be allowed to participate in the ongoing recruitment process?

iii) Whether there is any deliberate and intentional laches on the part of WBBPE in non-publication of the results of D.El.Ed. course 2023-2025?

4. The aforesaid issues fell for consideration before this Court in *Ashikur Rahaman Shaikh and Ors. versus State of West Bengal and Ors.* in WPA 26947 Of 2025.

5. In the said decision, this Court held as follows:

“5.18. In view of the above discussion, since the notification dated 28th June, 2018 is set aside in *Devesh Sharma (supra)*, hence it has become non-existent. Therefore, the TET, 2022 qualified candidates with B.Ed. qualification cannot said to be eligible to participate in the ongoing recruitment process.”

x x x

“6.9. Therefore, a pursuing candidate of D.El.Ed. course whose results are awaited cannot be allowed to participate in the recruitment process which has already been initiated by notifications dated 25th September, 2025 read with notification dated 19th November, 2025.”

x x x

“7.1. In view of the above, taking into consideration the date of final examination of D.El.Ed., this Court is of the view that there are no such deliberate and intentional laches on the part of the Board in not publishing the results of D.El.Ed course. However, it is expected that the Board will publish the results of two years D.El.Ed. course of 2023-2025 as expeditiously as possible within a reasonable period of time.”

6. In line with the aforesaid decision, since the present writ petitioners are similarly circumstanced as of the petitioners in *Ashikur Rahaman Shaikh (supra)*, the present writ petition falls short of merit.

7. Accordingly, the writ petition being no. **WPA 27687 of 2025** stands dismissed.

8. Interim order, if any, stands vacated.

9. All connected applications, if any, stand disposed of.

10. There shall be no order as to costs.

11. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
12. 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.)