

06.04.2026
Sl. No. A-1016
Ct. No.14
AN

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

W.P.A. No. 29922 of 2025

Abhik Chakraborty

Versus

The State of West Bengal & Ors.

Mr. Sudipta Dasgupta
Ms. Suryatapa Das
Ms. Sinjini Chakraborty

...for the Petitioner.

Mr. Ratul Biswas
Mr. Kaushik Chowdhury

...for the WBBPE.

1. Supplementary affidavit filed on behalf of the petitioner is taken on record.
2. By the present writ petition the petitioner seeks direction upon the respondent authorities to allow the petitioner to edit his application form insofar as the option of submitting Teachers' Eligibility Test (*in short TET*) Pass Document by inserting TET, 2023 instead of TET, 2022 in consonance with the notification being Memo no. 2600 / WBBPE / 2025 / 59R – 09 / 25 dated 13th December, 2025.
3. The petitioner contends that he has all the requisite educational qualification as per the rules and regulations of the National Council for Teachers Education (*in short NCTE*). The petitioner submitted his application in connection with the recruitment process of 2025 with TET, 2022 along with B.Ed. Qualification.

Subsequently, the petitioner appeared in TET, 2023 as a pursuing candidate of Diploma in Elementary Education (Special Education Course), 2023-2025. Since by order dated 9th December, 2025, passed in WPA 26947 of 2025 [*Ashikur Rahaman Shaikh & ors. vs. State of West Bengal & ors.*], the candidates with TET, 2022 qualification with B.Ed. degree was made ineligible to appear in the recruitment process of 2025, the petitioner tried to edit his qualification for incorporating his qualification of TET, 2023, however, the same could not be done since the edit option did not provide for change in TET qualification. Hence this writ petition seeking for appropriate relief.

4. Mr. Sudipta Dasgupta, learned advocate appearing for the petitioner submits that the petitioner is otherwise eligible to participate in the ongoing recruitment process of 2025. The petitioner obtained his Diploma in Elementary Education (Special Education) Course on 13th October, 2025. As per the advertisement dated 19th November, 2025, applications were to be submitted within 9th December, 2025. The petitioner has obtained his D.El.Ed qualification prior to the aforesaid advertisement. Thus, he seeks that the petitioner be allowed to edit his TET qualification application in order to participate in the ongoing recruitment process.
5. On the contrary, Mr. Ratul Biswas, learned advocate appearing for the respondent Board submits that the advertisement for recruitment of Assistant Teacher in

Primary School was made on 25th September, 2025. Admittedly, on the said date, the petitioner did not have the requisite qualification. Therefore, the petitioner was not eligible on the date of advertisement. He seeks for dismissal of the writ petition.

6. In reply, Mr. Dasgupta, learned advocate appearing for the petitioner submits that complete advertisement has been made on 19th November, 2025 declaring the total vacancies and the last date of filling up of application form. Therefore, that date should be taken as a cut-off date and not 25th September, 2025.
7. In order to examine the issue as raised in the present writ petition, it would be profitable to reproduce Rule 6 (2) of the West Bengal Primary School Teachers Recruitment Rules, 2016 (*in short, Recruitment Rules, 2016*). The sub-rule was later amended on 22nd December, 2020 in the following terms as reproduced hereinunder:

“(2) The candidate shall possess the minimum educational and training qualification as prescribed by the National Council for Teacher Education prevailing as on date of publication of recruitment notification.”

8. The aforesaid rule provides that the candidate shall possess the minimum educational qualification and training qualification as prescribed by the NCTE prevailing as on date of publication of recruitment notification. The intendment of Rule 6(2) of the Recruitment Rules, 2016 is only to declare that the qualifications as prescribed by the NCTE and that are

prevailing on the date of publication of the recruitment notification should be possessed by the candidate.

9. Clause 3 of recruitment of the advertisement dated 25th September, 2025 is quoted hereunder for convenience:

“3) *Qualifications requirement:*
 (a) *The candidate must be a citizen of India.*
 (b) *The candidate must have passed :*
 Higher Secondary (or its equivalent) with
 at least 50% marks and 2-year Diploma in
 Elementary Education
 OR
 Higher Secondary (or its equivalent) with
 at least 45% marks and 2-year Diploma in
 Elementary Education
 OR
 Higher Secondary (or its equivalent) with
 at least 50% marks and 4-year Bachelor of
 Elementary Education (B.El.Ed.)
 OR
 Higher Secondary (or its equivalent) with
 at least 50% marks and 2-year Diploma in
 Education (Special Education)
 OR
 Graduation and Two Year Diploma in
 Elementary Education
 AND
 Teacher Eligibility Test (TET) (conducted by
 the West Bengal Board of Primary Education
 adhering to the rules and principles set by NCTE)”

10. On a conjoint reading of Rule 6(2) of Recruitment Rules, 2016 as well as clause 3(b) of the notification issued by the Board it would construe that the candidates should possess the requisite qualification on the date of publication of the advertisement. Although learned advocate appearing for the petitioner tries to impress upon the Court that 25th September, 2025 is not the complete advertisement, however, it is pertinent to note that there is no challenge made to the aforesaid notification. In unambiguous term Clause 3(b) of the advertisement clearly stipulates that the candidates who have passed should be allowed to take part in the

recruitment process. Admittedly, the D.El.Ed. Part II results were declared on 13th October, 2025 meaning thereby that on 25th September, 2025, the petitioner did not have the requisite qualification. In the light of the above, the writ petition falls short of merit and is liable to be dismissed.

11. Accordingly, the writ petition being **WPA 29922 of 2025** is dismissed.
12. Since no affidavits have been called for, the allegations made in the writ petition are deemed to be not admitted.
13. Consequently, connected applications, if any, also stand disposed of.
14. Interim orders, if any, stand vacated.
15. There will be no order as to costs.
16. Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Bivas Pattanayak, J.)