

ITEM NO.5                      Court 14 (Video Conferencing)                      SECTION XIV

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 9032-9033/2021

(Arising out of impugned final judgment and order dated 03-02-2021 in WA No. 24/2021 and 12-02-2021 in IA(C) No. 258/2021 passed by the Gauhati High Court)

THE STATE OF ASSAM & ANR.

Petitioner(s)

VERSUS

BINOD KARMAKAR & ORS.

Respondent(s)

(FOR ADMISSION and I.R. )

Date : 03-09-2021 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AJAY RASTOGI  
HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s)      Mr. Maninder Singh, Sr. Adv.  
                                 Mr. Nalin Kohli, Sr. AAG  
                                 Mr. Shuvodeep Roy, AOR  
                                 Mr. Prabhas Bajaj, Adv.  
                                 Mr. Ankit Roy, Adv.

For Respondent(s)      Mr. K. K. Mahanta, Sr. Adv.  
                                 Mr. Kaushik Choudhury, AOR  
                                 Mr. Kaustav M. Mahanta, Adv.  
                                 Ms. Nazneen Begum, Adv.  
                                 Mr. S. Gautam, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

We have heard the learned counsel for the parties.

It is brought to our notice that the last A-TET Exam was conducted by the petitioners in the year 2012. For the years 2013-2018 due to administrative exigency no examination was conducted. After a gap of seven years, A-TET Examination was conducted for

Lower Primary and Upper Primary teachers in November/December, 2019. During the interregnum period 2013-2018, appointments were made of the candidates who qualified C-TET Examination.

In the year 2019, simultaneously the examination of C-TET and A-TET was held and after the result of TET (C-TET and A-TET) was declared, the petitioners came out with a policy decision dated 01.09.2020 holding that candidates who had qualified A-TET examination in 2019 shall alone be considered for appointment as teacher pursuant to the advertisement dated 11.09.2020 eliminating the candidates who qualify C-TET Examination in 2019.

In the peculiar facts and circumstances brought to our notice, we are not inclined to interfere in the present Special Leave Petitions under Article 136 of the Constitution keeping the question of law open.

With the aforementioned observations, the Special Leave Petitions are dismissed.

Pending application(s), if any, shall stand disposed of.

(POOJA SHARMA)  
COURT MASTER (SH)

(BEENA JOLLY)  
COURT MASTER (NSH)

(NIRMALA NEGI)  
COURT MASTER (SH)