

**IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION**

WRIT PETITION (CIVIL) NO (S). 65 OF 2025

SUKHEN MONDAL & ORS.PETITIONER(S)

VERSUS

**NATIONAL COUNCIL
FOR TEACHERS EDUCATION
& ORS.RESPONDENT(S)**

WITH

WRIT PETITION (C) NO(S). 946 OF 2025

WRIT PETITION (C) NO(S). 87 OF 2025

**WRIT PETITION (C) NO(S). OF 2025
(DIARY NO(S). 1422 OF 2025)**

WRIT PETITION (C) NO(S). 478 OF 2025

WRIT PETITION (C) NO(S). 927 OF 2025

O R D E R

1. Heard. Delay condoned.

2. The petitioners in these writ petitions are teachers in primary school establishments in different States. They are B.Ed. qualified; however, the petitioners are not holding the bridge course certificate as required by the National Council of Teachers Education (for short 'NCTE') and hence, they apprehend that their services may be terminated in light of the decision in the case of “**Devesh Sharma v. UOI & Ors.**”, reported in 2023 SCC OnLine SC 985.

3. Persons placed *ad idem* to the petitioners were given an opportunity to complete the bridge course by order passed in Miscellaneous Application Diary No. 4303 of 2024 and connected matters filed in **Devesh Sharma** (*supra*), which was disposed of *vide* order dated 8th April, 2024, wherein this Court directed as below: -

“.....As it appears that a large number of candidates with B.Ed. degree had already been

appointed on the basis of eligibility criteria specified by the educational authorities, we do not think it to be equitable to effect their removal. We, accordingly hold that the judgment delivered by this Bench on 11th August, 2023 shall have prospective operation. But prospective operation of this judgment shall be only for those candidates who were appointed without any qualification or conditions imposed by any Court of Law to the effect that their appointment would be subject to final outcome of the case which might have had been instituted by them and such candidates were in regular employment without any disqualification and were appointed in pursuance of a notice of advertisement where B.Ed. was stipulated to be valid qualification. Services of only such candidates shall not be disturbed because of this judgment. We make it clear that this benefit is only for the candidates who were appointed prior to the date our judgment was delivered, on 11th August, 2023. Mere selection of such candidates or their participation in the process will not entitle them for a benefit under our present order.

Moreover, the candidates having B.Ed. qualification whose appointments we are protecting in this judgment, will have to undergo a bridge course and we direct the educational authorities to devise such course, which would be applicable for each state and union territory, within a period of one year from today. This course shall be only for those appointees who have been engaged with B.Ed. degree only in the subject-posts under conditions stipulated in the earlier part of this order. National Council for Teacher Education shall design such course under overall supervision of the Ministry of Education, Union of India. Upon formulation of such course, the same shall be publicly

notified and a timeframe shall also be given within which the respective candidates shall participate therein. Failure of any candidate to participate and complete the course within the timeframe to be given by the educational authorities concerned will invalidate the appointment of such candidate.

We also make it clear that the directions contained in this order shall not be confined to the applicant state only and shall cover all cases which may be pending in different judicial fora in any State or Union territory on the same point of law.

The present application stands disposed of in the above terms.

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

[Emphasis supplied]

4. It is the case of the petitioners that they are ready and willing to complete the requisite bridge course within the stipulated period. However, the NCTE has not charted out the module and hence, the petitioners express an apprehension of being disqualified and loss of service on account of non-completion of the bridge course within the stipulated period in terms of ***Devesh Sharma*** (*supra*).

5. The petitioners have filed these writ petitions under Article 32 of the Constitution of India seeking a direction to the NCTE to notify the date for initiation of the bridge course and to extend the time for completion.

6. Considering the genuine apprehension of the petitioners, this Court passed the following orders on 7th April, 2025 and 5th August, 2025 in Writ Petition (C) No.65 of 2025: -

“Order dated 7th April, 2025

W.P.(C) No.65/2025 & W.P.(C) No.87/2025

The matters have been taken out of turn, on the plea of learned counsel for the petitioners on the ground that as per the order of the High Court of Calcutta the petitioners, who have continued in service, were required to undergo a bridge course to be developed by the NCTE within one year from 08.04.2024 and the petitioners and other similarly situated persons had to clear the same within six months after its notification.

2. Learned counsel for the NCTE submitted that the NCTE was required to devise a module for such bridge course and the petitioners had to complete the same latest by 07.04.2025 i.e.,

today, as per the direction given by this Court dated 08.04.2024 in “Devesh Sharma vs. Union of India & Ors.” (Diary No.4303/2024).

3. She submitted that the High Court of Calcutta may not have correctly appreciated the import of the order dated 08.04.2024 and further that the NCTE has already framed a course, which is now pending approval by the Ministry of Human Resource Development. Further learned counsel also fairly admits that as per the Supreme Court order, the onus would be on the petitioners to complete the course within the stipulated time-frame to be fixed by the NCTE only after the scheme is framed, notified and implemented.

4. Having regard to the aforesaid, by way of a clarification, we direct that till the NCTE bridge course is notified and implemented and the course is offered to the petitioners, and they do not complete the said course within the stipulated time, no coercive action shall be taken against them.

5. Though the remaining respondents have been served, but as nobody has entered appearance, learned counsel for the petitioners may take fresh steps for service including dasti as well as on the standing counsel.

6. The matters be listed on 05.08.2025.

Diary No.1422/2025

7. List on 05.08.2025.

Order dated 5th August, 2025

As prayed for by learned counsel for the respondents, for taking the issue of notifying the date for training with regard to the eligible candidates to its logical conclusion, list the matter on 08th October, 2025.

2. We make it clear that on the next date, if we find that the parties concerned are still dilly dallying and are casual about taking necessary steps as required by them, the Court may have to drastically interfere in the matter. We further make it clear that no further adjournment will be granted.

3. Mr. Kunal Chatterji, learned counsel appearing for the West Bengal Board of Primary Education submits that the actual training has to be conducted under the guidance of the West Bengal Board of Primary Education, which if made a party, would facilitate matters.

4. Acceding to the request, let the West Bengal Board of Primary Education be impleaded as a party respondent no. 4 in Writ Petition (Civil) No. 65 of 2025 and amended cause title be filed within three days.

5. All the Interlocutory Applications seeking impleadment/intervention are rejected.”

7. Today, during the course of hearing, Ms. Manisha T. Karia, learned senior counsel

representing the NCTE has placed on record the recognition order dated 2nd July, 2025, which is made a part of the record. Clause Nos. 3, 4 and 5 of the aforesaid recognition order provide as below: -

“3. AND WHEREAS, the Committee decided that the National Institute of Open Schooling (NIOS) i.e. recognized to conduct 6 months Certificate course (Bridge) in Primary Teacher Education through ODI mode under the following stipulations:

(i) This course will only be meant for those primary teachers who had been appointed with B.Ed. degree in accordance with NCTE's notification dated 28.06.2018 and who were in-service before the date of Hon'ble Supreme Court's judgment dated 11.08.2023.

(ii) The teachers indicated at point (i) above may avail this one-time opportunity to complete the course as Hon'ble Supreme Court has directed that failure of any candidate to participate and complete the course within time frame, as decided by the educational authorities, will invalidate their appointment.

(iii) The participant teachers shall complete the course within one year of the commencement of course of NIOS.

(iv) Qualifying the Bridge Course will be strictly meant for teachers indicated in point (i) above, to

protect their existing employment only. This Bridge Course will not be valid for those teachers seeking subsequent employments as primary teachers.

(v) Sufficient advertisement/wide publicity shall be ensured by NIOS in this regard.

NIOS may coordinate with the NCTE(HQ) in respect of other aspects or for further clarification, if required.

4. NOW THEREFORE, the institution namely, the National Institute of Open Schooling (NIOS), A-24-25, Institutional Area, Sector-62, Noida Uttar Pradesh is hereby granted recognition to conduct 6 months certificate Course (Bridge) in Primary Teacher Education through ODL as per stipulation mentioned in para 3 above.

5. The institution shall adhere to the provisions of the NCTE Act, Rules, Regulations and Orders made or issued thereunder.”

8. We feel that the apprehension expressed by the petitioners stands redressed and resolved by the aforesaid recognition order.

9. Needless to say, that as the NCTE itself has provided that the participant teachers shall complete the course within one year of the commencement of

course of National Institute of Open Schooling (NIOS), the petitioners shall be entitled to complete the six months' training from the date of commencement of the course in terms of the aforesaid recognition order. We further direct that all concerned States and authorities shall ensure strict compliance with the time frame provided in the order issued by the NCTE.

10. With the above observations, the writ petitions are closed.

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

.....**J.**
(VIKRAM NATH)

.....**J.**
(SANDEEP MEHTA)

.....**J.**
(N.V. ANJARIA)

NEW DELHI;
OCTOBER 08, 2025.