



**HIGH COURT OF TRIPURA  
AGARTALA  
W.P.(C)No.612 of 2025**

**Bulti Paul**  
D/o: Ranjit Kr. Paul  
W/o: Abhijit Sarkar  
R/o: Jaynagar Road No:7, Near Homeo Hospital, Agartala,  
Pin:799001.

**.....The Petitioner(s)**

**Versus**

**1. The State of Tripura,**  
To be represented by the Secretary,  
Education Department, Govt of Tripura,  
State Civil Secretariat, New Capital Complex,  
P.O: Kunjaban, Agartala, Tripura, Pin:799010.

**2. The Secretary,**  
Education Department, Govt of Tripura.  
State Civil Secretariat, New Capital Complex,  
P.O: Kunjaban, Agartala, Tripura, Pin: 799010.

**3. The Director,**  
Directorate of Secondary Education, Govt of Tripura,  
Shikshabhavan, Agartala, Tripura, Pin-799001.

**.....The Respondent(s)**

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| For Petitioner(s)                         | : | Mr. Purusuttam Roy Barman Sr. Adv,<br>Mr. Samarjit Bhattacharjee, Adv. |
| For Respondent(s)                         | : | Mr. Dipankar Sarma, Addl. G.A.                                         |
| Date of Hearing                           | : | 21.08.2026                                                             |
| Date of delivery of<br>Judgment and Order | : | 31.08.2026                                                             |
| Whether fit for<br>Reporting              | : | YES                                                                    |

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**HON'BLE MR. JUSTICE BISWAJIT PALIT**

**Judgment & Order**

This writ petition is filed by the petitioner seeking the  
following reliefs:

**"i) Issue Rule upon the Respondents to show cause as to why Writ in the nature of mandamus and/or Order or direction/directions shall not be issued whereby directing the Respondents to quash and cancel the memo, dated, 15.02.2020, issued by the Director, Secondary Education, whereby the Offer of appointment issued in favour of the Petitioner on 14.11.2019 was cancelled.**

**ii) Issue Rule upon the respondents to show cause as to why Writ in the nature of mandamus and/or Order or direction/directions shall not be issued whereby directing the Respondents to issue appointment letter in lieu of the appointment letter, dated, 14.11.2019, issue by the Director, Secondary Education, in favour of the Petitioner for the post of Graduate Teacher as she was recommended by the TRBT on the basis of her performance at STGT, 2019;**

**iii) Make the rules absolute.**

**iv) Call for records.**

**v) Pass any further order/orders as this Hon'ble High Court considered fit and proper.**

**AND**

**For this act of kindness, Petitioner as in duty bound shall ever pray."**

**02.** Heard Learned Counsel, Mr. P. Roy Barman assisted by Learned Counsel, Mr. S. Bhattacharjee appearing on behalf of the petitioner and also heard Learned Addl. G.A., Mr. D. Sarma appearing on behalf of the State-respondents.

**03.** At the time of hearing, Learned Counsel for the petitioner submitted that the petitioner belongs to UR category and appeared for Selection Test for graduate Teacher, 2019 (STGT, 2019) conducted by the TRBT and accordingly, admit card was issued by the Controller of Examination, TRBT, in favour of the petitioner for Selection Test for Graduate Teacher (class IX to X, Session June, 2019). The petitioner obtained B.A degree in English from Madurai Kamaraj University through Distance Education mode. Mark sheets and the certificates were issued to

the effect that the petitioner was admitted in the B.A. English course having been certified by duly appointed Examiners to be qualified to receive the degree and having been placed in the 2<sup>nd</sup> Class at the examination held in April, 2010. The petitioner, thereafter, obtained B.Ed degree in English from Madurai Kamaraj University through Distance Education mode. Mark sheets and Certificates were also issued to the effect that the petitioner was admitted in the B.Ed course having been certified by duly appointed Examiners to be qualified to receive the degree and having been placed in the 1<sup>st</sup> Class at the Examination held in April, 2012. The petitioner performed well in STGT, 2019 Examination and accordingly, the Director of Secondary Education vide Memo, dated 04.11.2019 issued Offer of Appointment in favour of the Petitioner to the post of Graduate Teacher on recommendation of the TRBT vide No.F.2(1-8)GEN/TRBT/REC/2019/165 dated 11.09.2019. By the said memo, the petitioner was offered purely temporary post of GT on fixed monthly pay of Rs.20,475/- only subject to terms and conditions mentioned in the offer of appointment (Annexure-5). The petitioner was asked to communicate her acceptance of offer of appointment on or before 29.11.2019 with all required documents. Accordingly, the petitioner accepted the offer of appointment and submitted all the necessary documents required. After that one, Sushanta Das, Director of Secondary Education, laid one FIR on 13.02.2020 against the petitioner to O/C, West Agartala P.S. (Annexure-6) and after closure of

investigation, the I.O. laid charge-sheet against the petitioner and thereafter, by a judgment dated 12.08.2025 passed in PRC (WP) No.278 of 2022 Learned J.M. 1<sup>st</sup> Class, Court No.7, Agartala acquitted the petitioner from the charges framed against her under Section 468/471 of IPC. It was also submitted that in the meantime, vide memo dated 15.02.2020 (Annexure-8) the Director of Secondary Education cancelled the Offer of appointment issued vide memo dated 04.11.2019. It was further submitted that the respondents without any basis cancelled the Offer of appointment issued to the petitioner and she has been honorably acquitted by the Learned Trial Court. It was further submitted that due to lodging of FIR she has lost valuable seven years of her life and she was out of employment and was suffered immense mental agony, social humiliation and financial hardships due to prolong deprivation of her legitimate appointment. So, the petitioner has filed the writ petition seeking the reliefs as stated above.

**04.** The State-respondents have contested the writ petition by filing counter-affidavit. In the counter-affidavit in para Nos.12 and 13 it has been stated by the State-respondents as under:

**"12. That, in regard to the statements made in paragraph 9 of the writ petition, it is stated that, on the strength of the fake certificate, the petitioner sat for the Selection Test for Graduate Teachers (STGT) and cleared the test. Teachers Recruitment Board, Tripura (TRBT) recommended the name of the petitioner for appointment to the post of Graduate Teacher and on finding that she submitted fake certificate for appointment to the post of**

**Graduate Teacher the Department lodged an FIR at the West Agartala Police Station.**

**It is stated here that as per the verification report of the Controller of Examination Madurai Kamraj University vide Letter No. MKU/Con I & II/ Genuine/2020 dated 08.01.2020 the mark-sheets of B.A(English) and Bachelor of Education (B. Ed.) obtained from the Madurai Kamraj University, Madurai are not genuine and it is clearly mentioned that "The Particulars reflected in the Xerox Copies of the above certificates sent by you are verified and found not matched with our records."**

**13. That, in regard to the statements made in paragraph 10 to 17 of the writ petition, it is stated that, in the order dated 12.08.2025, the Ld. Judicial Magistrate 1 Class, Agartala, West Tripura gave the observation in Paragraph No. 13: "In view of the findings arrived above, I hold that the prosecution could not successfully bring home the charges against the accused person namely Smt. Bulti Paul u/Sec. 468/471 of IPC, beyond all reasonable doubt and accordingly, the accused person is found not guilty of offence punishable u/Sec. 468/471 of IPC. She is therefore, acquitted of the liability of the charges made against her. Accordingly, she is set at liberty at forthwith."**

**It is also to be submitted here that in its Judgment and Order of the Learned Judicial Magistrate 1 Class, Agartala, West Tripura passed on 12.08.2025 nowhere it is mentioned that the mark-sheets of B.A(English) and Bachelor of Education (B. Ed.) obtained from the Madurai Kamraj University, Madurai which were submitted by Smt. Bulti Paul for appointment to the post of Graduate Teacher are genuine nor the report of the Controller of Examination of Madurai Kamraj University communicated vide Letter No. MKU/Con 1 & II/ Genuine/2020 dated 08.01.2020 is not genuine.**

**The Respondents submit that a person can be convicted to a criminal trial when the case is proved beyond doubt, but civil action are all based on principle of pre-ponderance of probability. The acquittal of the petitioner from the charge of forgery did not automatically negate the information given by Madurai Kamraj University, Madurai that the certificate furnished by the petitioner is mismatched with records. It is therefore considered appropriate to cancel the offer of appointment of the petitioner because one cannot be appointed in a government service on the basis of a fake document whether it forged by the petitioner or not.**

**If the genuineness of the mark sheets / certificates B.A (English) and Bachelor of Education (B. Ed.) obtained from the Madurai Kamraj University, Madurai of the petitioner is established beyond doubt, the State**

**Respondents will have no counter-argument to cancel the Memo dated 15.02.2020 (Annexure-8 of writ petition) and issue posting order. Otherwise, the petitioner has no right to claim to consider her for appointment to the post of Graduate Teacher and in that case, the State respondents deny and dispute the claim of the petitioner."**

The petitioner further submitted rejoinder and in para 3 to 7 it has been stated by the petitioner as under:

**"3. That, the Controller of Examination, MK University, Palkalai Nagar, Madurai, vide letter, dated, 18.02.2020, after re-verification, informed the Director, Directorate of Secondary Education, Agartala, Tripura, that, mark sheet and certificates of the students named in the letter are genuine. In the said letter, name of the Petitioner appears at Sl. No. 3. It appears from the said letter, that, Petitioner has completed B.A English & B.Ed course from the Madurai Kamraj University and got 2nd Division & 1<sup>st</sup> Division respectively. It further appears, that, the Petitioner's Registration number against the respective subject Course are A8A4580077 & 11A4280296.**

**Copy of the letter, dated, 18.02.2020, is annexed as Annexure-10.**

**4. That, the Additional Controller of Examination, Madurai Kamraj University, issued Genuineness Certificates, on 18.02.2020, respectively, declaring, that, Smt. Bulti Paul has passed the Degree of B.A in English Examination and B.Ed. Examination from this University, whose Registration No. is A8A4580077 & 11A4280296.**

**Copies of the Genuineness Certificates, dated, 18.02.2020 are annexed as Annexure-11 & 12.**

**5. That, it is further mentioned, herein, that, the aforesaid certificates, in original have been directly sent to the U.K. Chakma, Director, O/o the Directorate of Secondary Education through registry post with A.D on 18.02.2020, by one Billal Ahmed, Head Clerk of the Madurai Kamraj University, Madurai and in terms of General Clause Act, it is presumed, that, the O/o the Directorate of Secondary Education, received the said certificates.**

**Copies of the Acknowledgements of Indian Post Office are annexed as Annexure-13.**

**6. That, in respect to the contention of Para-9 of the counter affidavit, the Petitioner submits that, the Respondents very cleverly suppressed the past events of 11.10.2019 & 08.01.2020. From the letter, dated, 18.02.2020 & certificates, annexed with the instant rejoinder**

**affidavit, that, the Controller of Examination, Madurai Kamraj University, issued genuineness certificate in respect to the Petitioner's Educational & Professional certificates, dated, 18.02.2020. Had there been fair consideration of the aforesaid certificates by the Respondents, then it would have been easily found, that, the Petitioner genuinely passed the B.A in English Examination and B.Ed. Examination from Madurai Kamraj University, Madurai.**

**7. That, in respect to Annexure-R/2, annexed with the counter affidavit, it is submitted, that, Premjit Das and Smt. Arpita Saha, who are similarly situated person, like the Petitioner herein, whose name have been reflected in the letter, dated, 11.10.2019, who have been passed B.Ed Exam from M.K.U, are presently serving under the Govt. of Tripura, relying on the said B.Ed Certificates. Only, in respect to the Petitioner, the Respondents have caused discriminatory treatment despite the fact, that, the Petitioner's educational & profession certificates issued by the MKU, are genuine."**

However, at the time of hearing, Learned Counsel for the petitioner drawn the attention of the Court that the respondents-authority took arbitrary action against the petitioner and referring Annexures-R/1 and R/2 as relied upon by the State-respondents, it was submitted by Learned Senior Counsel that before the Learned Trial Court no person from the said University appeared to support the prosecution allegation and as such on conclusion of trial the petitioner was honorably acquitted by the Learned Trial Court. It was further submitted that in the rejoinder it was stated by the petitioner that the authority of Madurai Kamaraj University had sent communication to the Director of School Education, Tripura on 18.02.2020 i.e. Annexure-10 and also from Annexure-11 and Annexure-12 it is clear that the petitioner obtained degree in B.A. English from the said University, the examination which was held in the month of April, 2010 having registration Nos. A8A4580077 and also attained

B.Ed degree in April 2013 having registration No.11A4280296 from the said University.

It was also submitted that in the criminal proceeding also no authority from the said University appeared to substantiate the prosecution allegation, so, simply on the communication that the documents submitted by the petitioner does not match with the records, the Director Higher Education without any basis by memo dated 15.02.2020 cancelled the Offer of appointment in favour of the petitioner which was arbitrary, illegal and not binding upon the petitioner. Learned Senior Counsel also submitted that challenging the rejoinder submitted by the petitioner no further affidavit has been submitted by the State-respondents. Thus, it appears that the respondents without any basis cancelled the Offer of appointment issued in favour of the petitioner. So, Learned Senior Counsel in summing up urged for allowing this writ petition giving relief to the petitioner. Learned Senior Counsel for the petitioner further submitted that one Premjit Das and Arpita Saha who are also similarly situated candidates like the present petitioner and whose names have been reflected in the letter dated 11.10.2019 passed B.Ed exam from the said University presently serving under Government of Tripura relying on the said certificates. But the respondent-Authority only in respect of the petitioner made discrimination and deprived her from her valuable right by cancelling the Offer

of appointment for which Learned Senior Counsel urged for allowing this writ petition.

Learned Additional G.A., Mr. D. Sarma submitted that there is no merit in the writ petition filed by the petitioner and the Learned J.M. 1<sup>st</sup> Class by the said judgment did not give any observation that the certificates submitted by the petitioner was genuine and as such on the strength of the judgment of the Learned J.M., 1<sup>st</sup> Class, there is no scope to grant any relief in favour of the petitioner.

**06.** Heard both the sides at length and perused the writ petition and the documents annexed with the same as well as the counter-affidavit filed by the State-respondents. The respondent-Authority on the basis of communication of Madurai University came to the observation that the B.A. Degree as well as the B.Ed Degree certificates procured by the petitioner was fake and as such by memo dated 15.02.2020 cancelled the Offer of appointment issued in favour of the present petitioner. By this time a case was registered against the petitioner in the criminal court and after trial, the petitioner was honorably acquitted by the Learned Trial Court. In the criminal case charge under Section 468/471 of IPC was framed, so, after trial the Learned Trial Court acquitted the petitioner from the charge of the criminal case, although it was not a duty of the criminal Court to give any observation regarding genuineness of the certificates submitted by the petitioner. However, challenging that judgment no appeal

has been preferred by the State-respondent. The judgment of the criminal Court was passed on 16.03.2024, by this time the same has attained finality. More interestingly, in this writ petition the petitioner submitted rejoinder and relied upon Annexures-10, 11 and 12 but surprisingly, at the time of hearing Learned Addl. G.A. representing the State-respondents totally remained silent about those documents. Even no additional-affidavit was submitted on behalf of the State-respondents against the rejoinder filed by the petitioner. Thus, it appears that the respondents have/had no proper defence to counter the submission made by Learned Senior Counsel for the petitioner. Since challenging the rejoinder, no additional-affidavit is filed and challenging Annexures-10, 11 and 12 as relied upon by the petitioner nothing was submitted by the respondents to counter the same, so, after hearing both the sides it appears to this Court that there was no basis on the part of the Director of Secondary Education to cancel the Offer of appointment in favour of the petitioner by memo dated 15.02.2020 (Annexure-8) and as such in the considered opinion of this Court, the petitioner is entitled to get relief in this writ petition.

**07.** In the result, the writ petition filed by the petitioner is hereby allowed. The memo dated 15.02.2020 issued by the respondent is hereby cancelled and set aside. The respondents are asked to issue fresh Offer of appointment in favour of the petitioner within a period of three months from today. Since the petitioner during the period did not perform her duties, so, no

relief is granted in favour of the petitioner in respect of payment of any back wages.

With this observation this writ petition stands disposed of.

Pending application(s), if any, also stands disposed of.

**JUDGE**

*Purnita*

