



**HIGH COURT OF TRIPURA
AGARTALA
WP(C)No.262 of 2026**

Rupak Majumder,
Son of Sri Rakhal Majumder,
Resident of near Garijetila, SBC Nagar,
Belonia, South Tripura,
PIN:799 155, Age: 23 years

-----Petitioner (s)

Versus

- 1. The State of Tripura,**
(to be represented by) the Principal Secretary,
Education (School) Department,
Government of Tripura,
New Secretariat Building,
New Capital Complex, Kunjaban,
P.S. New Capital Complex, Agartala,
West Tripura, PIN:799 010
- 2. The Principal Secretary,**
Education (School) Department,
Government of Tripura,
New Secretariat Building,
New Capital Complex, Kunjaban,
P.S. New Capital Complex, Agartala,
West Tripura, PIN:799 010
- 3. Teachers Recruitment Board,**
Tripura (TRBT) (to be represented by) the Chairman,
Teachers' Recruitment Board,
Tripura, Shiksha Bhavan,
Office Lane, Agartala, West Tripura,
PIN:799 001
- 4. The Member Secretary,**
Teachers' Recruitment Board, Tripura,
Tripura (TRBT), Shiksha Bhavan,
Office Lane, Agartala, West Tripura,
PIN:799 001
- 5. The Controller of Examinations,**
Teachers' Recruitment Board,
Tripura (TRBT), Shiksha Bhavan,
Office Lane, Agartala, West Tripura,
PIN:799 001

----- Respondents (s)

For Petitioner(s) : Mr. Dipjyoti Paul, Adv.
For Respondent(s) : Mr. Dipankar Sarma, Addl. G.A.
Date of Hearing : 15.09.2026
Date of delivery of
Judgment and Order : 24.09.2026
Whether fit for
Reporting : YES

HON'BLE MR. JUSTICE BISWAJIT PALIT

Judgment & Order

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

(i) Issue Rule upon the Respondents to show cause as to why a Writ in the nature of Mandamus and/or any other order/orders shall not be issued whereby quashing and cancelling the impugned Order, dated 28.07.2025, issued by the Controller of Examinations, Teachers' Recruitment Board, Tripura (TRBT).

(ii) Issue Rule upon the Respondents to show cause as to why a Writ in the nature of Mandamus and/or any other order/orders shall not be issued whereby directing the Respondents to correct & republish the Result of the Petitioner in T-TET 2024, Paper-I, and hold the same to 90 marks by awarding 01 more mark for his answer "Group factor theory" to Question No.9 of T-TET 2024, Paper-I.

(iii) Issue Rule upon the Respondents to show cause as to why a Writ in the nature of Mandamus and/or any other order/orders shall not be issued whereby directing the Respondents to declare the Petitioner as successful/passed in T-TET 2024, and thereafter, facilitate scrutiny of documents/certificates/mark-sheets of Petitioner on being declared to have scored 90 marks in terms of the Notice, dated 26.06.2025.

AND

Call for the records pertaining to the instant Writ Petition from the custody of the Respondents and to make the rule absolute.

AND

After hearing both the parties pass order/orders as this Hon'ble High Court considers to be fit and proper.

02. Heard Learned Counsel Mr. D. Paul appearing on behalf of the petitioner and also heard Learned Addl. G.A. Mr. D. Sarma appearing on behalf of the State-respondents.

03. It is the case of the petitioner that against the notification dated 16.12.2024 issued by TRBT for conducting T-TET in two papers i.e. paper-I and paper-II. The petitioner

being an eligible candidate having all the requisite qualification submitted his online application for T-TET Paper-I, 2024. Paper-I was for a person intending to be a Teacher of Classes I to V & Paper-II was for a person intending to be a Teacher of Classes VI to VIII. The submission of online application was scheduled from 24.01.2025 to 28.02.2025. Thereafter the TRBT issued one notification that exam of Paper-I will be held on 04.01.2025 [Annexure-2]. It was further submitted that thereafter vide notice dated 26.03.2025 issued by the TRBT it was informed to all the candidates that the due date for downloading Admit Card for T-TET 2024, Paper-I and Paper-II had been rescheduled from 08.04.2025 and will continue up to 19.04.2025. Later on, vide notice dated 07.04.2025, TRBT further informed that the date for downloading Admit Card for T-TET Paper-I and Paper-II had been further rescheduled from 11.04.2025 and continue up to 22.04.2025. The petitioner downloaded his Admit Card from the portal having Roll No.13620112405199 (Annexure-4). Accordingly the petitioner appeared on the scheduled date and time and sat for T-TET, 2024 Paper-I examination and in the examination the cut-off marks for T-TET, 2024 Paper-I was 90 marks. But after collecting of OMR sheets the petitioner found that he has secured 89 marks. It was further submitted by Learned Counsel for the petitioner that in the said examination following question was asked:

**"9. Anarchic theory of intelligence is also known as
(A) two-factor theory
(B) group factor theory
(C) sampling theory
(D) None of the above"**

04. According to the petitioner against the said question of T-TET, 2024 Paper-I answer was 'group factor theory'. But no mark was given for the said answer in favour of the petitioner resulting which in spite of 90 he has only secured 89 marks. It was further submitted that in the year 2022 in the same examination similar question was asked as follows:

**7. Anarchic theory of intelligence is also known as
(A) Two-factor theory
(B) Group factor theory
(C) Oligarchic theory
(D) None of the above**

The answer of the said question was also B i.e. 'Group factor theory' and accordingly the TRBT declared the final answer keys of T-TET, 2022, Paper-I, Question Booklet Series A wherein against the question No.7 answer was B i.e. the answer opted by the petitioner against the same question during the examination of 2024.

05. Learned Counsel further submitted that after the declaration of final answer key of T-TET, 2022 Paper-I, TRBT affirmed it and they did not issue any further notification that the same answer was wrong. So the answer attained finality. So in the subsequent examination for the same question there cannot be any separate answer. Now the TRBT arbitrarily rejected his answer and gave one less mark resulting which he has secured only 89 marks.

Learned Counsel further relied upon his OMR answer sheet (Annexure-C) wherein against question No.9 the petitioner has answered B. Learned Counsel in support of this present case also relied upon the judgment delivered by this Court on 21.08.2026 in WP(C)No.699 of 2025 wherein against the same question similar view was taken by TRBT and this Court granted relief in favour of the petitioners of that case. Learned Counsel fairly submitted that this present case is squarely covered by the said judgment. It was also submitted that during the proceeding the TRBT did not produce the observation of the Expert Committee to substantiate their defence rather the petitioner based upon this case relying upon some materials on the basis of which the earlier case was decided and since the TRBT itself admitted the said correct answer which was attempted and given by the petitioner in this present case so there is no scope to deviate from said fact and they are barred by the "principle of estoppels" and finally in summing up Learned Counsel urged for allowing this writ petition.

06. The State-respondents have contested this case by filing counter-affidavit. In para 9-11 the State-respondents have asserted as under:

"9. That the averments made by the Petitioner in Para Nos. 7 to 14 of the Writ Petition are denied, save and except as specifically admitted hereinafter. It is submitted that the entire process of the T-TET 2024 examination, including the conduct of the test, publication of tentative and final answer keys, and the procedure for challenging questions, was conducted strictly in accordance with the Prospectus cum Instruction of T-TET 2024. The Tentative Answer Keys for T-TET 2024, Paper-I, were published on 08/05/2025 vide

Memo No. F.4 (1-11)/COE/TRBT/2020/ Dated 08/05/2025. Candidates were invited to submit their objections/claims within a stipulated timeframe. The deadline for submitting objections was initially fixed as 14/05/2025, which was subsequently extended to 16/05/2025 vide Memo No. F.4 (1-11)/COE/TRBT/2020/318 dated 13/05/2025.

A copy of the Prospectus cum Instruction of T-TET 2024 is annexed and marked as Annexure R/1.

A copy of the Memo No. F.4 (1-1)/COE/TRBT/2020/Dated 08/05/2025 is annexed and marked as Annexure R/2.

A copy of the Memo No. F.4 (1-11)/COE/TRBT /2020/318 dated 13/05/2025 is annexed and marked as Annexure R/3.

The Petitioner, despite being aware of the examination process and the available mechanism for raising objections, failed to challenge the specific question in dispute, namely Question No. 9 of Booklet Series A, Question No. 18 in Booklet Series B, and Question No. 30 in Booklet Series C, which pertains to "Anarchic Theory of Intelligence". The Petitioner's Registration No. and Roll No. are annexed as ANNEXURE-R/5, and it is evident from ANNEXURE-R/4 (listing candidates who challenged the question) that the Petitioner did not avail this opportunity. Petitioner, therefore, did not utilize the prescribed and available statutory remedy for challenging the question within the stipulated timeframe.

A copy of the details of registration no. and Roll no. of candidates challenged the question is annexed and marked as Annexure R/4.

A copy of the Petitioner's Registration No. and Roll No. is annexed and marked as Annexure R/5.

All objections/claims submitted by other candidates were duly placed before subject experts for examination. Based on the experts' opinions, the Respondent (TRBT) prepared and published the Final Answer Keys for T-TET 2024, Paper-1, on 09/06/2025 vide Memo No. F.4 (1-1) /COE/TRBT/2020/425 dated 09/06/2025. The results were prepared and published based on these Final Answer Keys. The Respondent (TRBT) has addressed each and every challenge/claim/objection submitted by the candidates, relying on the expert opinions of the respective subject matter experts. The correct answer to the disputed question was also determined by the subject experts.

A copy of the Memo No.F.4(1-1)/COE/TRBT/2020/425 dated 09/06/2025 is annexed and marked as Annexure R/6.

The Petitioner had previously filed a Writ Petition (WP(C) 359/2025) before the Hon'ble High Court of Tripura on the same issue. The said petition was heard on 08/07/2025 and disposed of without commenting on the merits. However, the Hon'ble High Court permitted the Petitioner to submit a representation with necessary materials within seven days, i.e., by 15/07/2025. TRBT was directed to take a reasoned decision and communicate it to the Petitioner within two weeks of receiving the representation. In compliance with the Hon'ble High Court's directions, TRBT constituted a three-member Expert Committee. This committee thoroughly reviewed the representation submitted by the Petitioner and the accompanying materials. The Expert Committee concluded that the correct answer to the disputed question (Question No. 9 of Booklet Series A, Question No. 18 in Booklet Series B, and Question No. 30 in Booklet Series C) is 'D', which is "NONE OF THE ABOVE".

On the basis of the Expert Committee's decision, TRBT informed the Petitioner vide Memo No. F. 1(1-16)-/TRBT/ESTT/2022/535 dated 28/07/2025.

A copy of the Order dated 08/07/2025 passed in WP(C) 359/2025 is annexed and marked as Annexure R/7.

A copy of the Memo No. F. 1(1-16)-/TRBT/ESTT/2022/ 535 dated 28/07/2025 is annexed and marked as Annexure R/8.

10. That the averments made by the Petitioner in Para No. 15 of the Writ Petition are admitted to the extent that the process described therein is a normal post-examination procedure followed by TRBT.

11. That the averments made by the Petitioner in Para Nos.16 to 24 of the Writ Petition are denied, save and except as specifically admitted hereinafter. It is submitted that TRBT works in cooperation with a team of senior academicians who are nominated as the paper-setters, moderators and subject experts. They set the question papers, moderate them if necessary and the subject-experts share their valuable opinion regarding the correctness of the questions asked in the Test, Tentative Answer Keys issued, objection raised or feedback given against a question etc. On the basis of the opinion given by the subject-experts, TRBT finalises the Final Answer Keys. Evaluation of the response sheets of the candidates is done on the basis of the Final Answer Keys. Teachers' Recruitment Board, Tripura (TRBT) has been conducting Teachers Eligibility Test (TET) and other recruitment Tests like STPGT, STGT etc successfully since its inception in 2015. There is no question of being arbitrary or partial on the part of TRBT.

The present petitioner is one of the candidates who could not score the cut off marks and challenged the entire system of /examination.

However, the Hon'ble High Court of Tripura while hearing the Writ Petition (WP(C) 359/2025) filed by the petitioner on the same issue on 08-07-2025 disposed it of without commenting on the merit of it. However, the Hon'ble High Court permitted the petitioner to submit a representation with necessary materials if any within seven days i.e. by 15/07/2025 to support his claims. TRBT was asked to take a reasoned decision and communicate it to the petitioner within two weeks of receiving the representation.

Accordingly, TRBT formed a three-member Expert Committee which went through the representation submitted and the materials provided by the petitioners in support of their claim and decided that the Answer to the question that was challenged (i.e. Question NO. 9 of Booklet Series A, Question NO. 18 in Booklet Series B and Question no. 30 in Booklet Series C) is D, which is NONE OF THE ABOVE. On the basis of the decision of the Expert Committee, TRBT informed the Petitioner vide Memo No F. 1(1-16)-/TRBT/ESTT/2022/535 Dated 28/07/2025.

In light of the foregoing, there is no illegality, arbitrariness, or irrational action on the part of TRBT against the Petitioner. The Respondent Board has consistently responded to the issues raised by the Petitioner in accordance with its standard operating procedures and in compliance with the directions of the Hon'ble High Court."

07. At the time of hearing Learned Addl. G.A. appearing on behalf of the State-respondents submitted that when the objections were invited to be filed by the TRBT that time no step was taken by the present petitioner challenging the answer of the alleged question for which this case has been filed and furthermore in view of the judgment relied upon by the State-respondents in the case delivered by this Court in WP(C)No.699 of 2025, there is no scope to grant any relief in favour of the petitioner and urged for dismissal of this writ petition. It was further submitted by Learned Addl. G.A. that the present petitioner could not make out any case for granting relief in favour of the petitioner and as such this writ petition is liable to be dismissed.

08. Heard both the sides at length. Admittedly the present petitioner attempted and gave correct answer of the question which was cited in the T-TET, Paper-I, examination of 2022 by TRBT and similar question was again cited by TRBT during the year 2024 T-TET Paper-I examination. Against the year 2022 T-TET Paper-I final answer key was released by TRBT wherein the answer which has been attempted and given by the petitioner in this case was given. There was no step on behalf of the TRBT that time to say that that answer was incorrect and no notification in this regard was issued. Based upon the said answer key selections were made and candidates were selected. Now at this stage where is the scope on the part of the TRBT that the answer attempted against the aforesaid question during

the year 2024 by the petitioner was incorrect because at this stage there is no scope on their part to deviate from their earlier statement made by them just simply referring the judgments of Hon'ble Supreme Court of India the present respondents cannot take a different stand in this case.

09. I have also perused the judgment delivered by this Court in WP(C)No.699 of 2025. In paras No.9-13 this Court observed as under:

"9. I have heard both the sides at length and perused the writ petition and the connected documents annexed with the writ petition as well as the counter affidavit filed by the State-respondents and the documents annexed with that.

10. Admittedly, the petitioners in pursuance of the notice dated 08.05.2025 did not submit any objection in respect of question No.9 in booklet series A, question No.18 in booklet series B, question No.30 in booklet series C. Surprisingly, the respondents did not place on record how the Expert Committee came to the observation that the answer of the disputed question was incorrect but the respondents only took the plea that the Expert Committee took decision and the decision of the Expert Committee was communicated to the petitioners [Annexure-H]. The respondents only stated that the decision of the Expert Committee cannot be challenged and regarding the answer of the 2022 T-TET (Paper-I) on the same question the stand of the respondent was that the same question was not challenged by anyone earlier. This proposition of the respondent Authority cannot be accepted. Even no notice was published that the answer of the said question was wrong during the year 2022. Since the respondents in their counter affidavit failed to demonstrate as to how the expert committee came to the observation, so, in absence of any proper evidence on record, there was no scope on the part of the respondents to take the plea that the petitioner is not entitled to get any relief.

11. In the opinion of this Court, the respondents have failed to give any concrete answers/views as to how the answer of the question as raised by the petitioners in this writ petition is incorrect when the same answer was treated as correct in the final answer key of 2022 T-TET (Paper-I) examination. On the basis of final answer key of 2022 T-TET (Paper-I), the petitioners, during the exam of 2024 TTET (Paper-I) gave the same answer. Thus, it appears that the respondents without any basis deleted one marks from each of the petitioners.

12. The subject matter of citations as referred by Learned G.A. at the time of hearing appears to be distinguishable in facts as such those citations cannot be applied in this case.

13. Consequently, this present writ petition is allowed. The respondents are asked to give one additional mark to

each of the petitioners in the result of T-TET 2024 (Paper-I) within a period of two months from the date of passing of this judgment and thereafter to declare their results accordingly."

10. After hearing both the sides it appears to this Court that the present case is squarely covered by the said judgment delivered by this Court on 21.08.2026 in WP(C)No.699 of 2025. It appears that the action of the respondents was arbitrary and not permissible in the eye of law because by their action the respondents are estopped from taking any further plea that the petitioner is not entitled to get any relief in this writ petition because the TRBT at this stage cannot take any different step deviating from their earlier statement made in the final answer keys (Annexure-8).

11. In the result, the writ petition filed by the petitioner is hereby allowed. The respondents are asked to give one more additional mark to the present petitioner in the result of T-TET, Paper-I, 2024 examination within a period of two months, from the date of passing of this judgment and thereafter to declare the result of the petitioner afresh accordingly.

With this observation, this present writ petition stands disposed of accordingly.

Pending application, if any, stands disposed of.

JUDGE

MOUMITA DATTA

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