

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble SAYEED AHMED BABA, Officiating Chairperson & Member (A)

Case No. – OA-635 of 2022

Anupam Gayen VERSUS – The State of West Bengal & Ors..

Serial No. and Date of order For the Applicant : Mr. K. Bera,
Learned Advocate.

05
19.12.2022 For the State Respondents : Mrs. S. Agarwal,
Learned Advocate.

For the P.S.C., W.B. Mr. S. Bhattacharjee,
Learned Advocate.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsel for the contesting parties the case is taken up for consideration sitting singly.

Mr. Maiti appearing for the applicant submits that the P.S.C. has erroneously answered to some questions in the objective test for the examination held for the post of Industrial Development Officer conducted in the year 2019. The applicant was not selected in the merit list of successful candidates in the preliminary screening test in which he scored 74.33 marks. The score of last successful candidate in the written test for general quota was 78. Mr. Maiti submits that as per the answer sheet of PSC, the answers shown for questions 17,36,62,90,7,24 & 53 are

wrong.

Mrs. Agarwal appearing on behalf of the state and Mr. Bhattacharjee appearing on behalf of the P.S.C. submits that answers are decided by the experts. In all examinations conducted by the Commission, experts are appointed to assist the Commission in formulating questions and evaluating answers.

Mr. Bhattacharjee further submits that there were total 118 successful candidates for the vacancies of 118 posts but the applicant has added only 11 candidates as necessary parties.

Mr. Maity submits that as per the answer sheet appearing at page 50, the applicant believes that he would have got 78.3 marks. Subsequently, in the answer sheets supplied through R.T.I. application he was getting only 74.33.

On the question of why there are two separate and different answer sheets to the same examination, Mr. Bhattacharjee prays for accommodation to consult the Commission and submit reply by the next date.

The matter is admitted.

Let the matter be listed for filing of Reply/Rejoinder on **07.06.2023**.

sc

SAYEED AHMED BABA
OFFICIATING CHAIRPERSON & MEMBER(A)