

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson and Administrative Member.

Case No. –OA 746 of 2023

Santu Biswas. - Versus - The State of West Bengal & Others.

Serial No. and Date of order	For the Applicant	: Mr. D. Abbasi, Advocate.
<u>03</u> 13.05.2024.	For the State Respondents	: Mrs. S. Agarwal, Advocate.
	For the Public Service Commission, West Bengal	: Mr. S. Bhattacharjee, 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.

The affidavit of service filed today be kept on record.

The applicant has prayed for a direction to the respondent to award him full marks to certain number of questions in the subjects – English, Bengali and Arithmetic. The applicant had participated in the recruitment process conducted by the Public Service Commission, West Bengal for Miscellaneous Services Recruitment Examination, 2018.

Mr. Abbasi, learned counsel for the applicant argues that despite writing the correct answers, the applicant was not given the full marks. As an example, he refers to question no. 6 which asks the candidates to make complete and meaningful sentences with the words given “Take after”. The applicant has written “Rishav take after his brother”. Another example is for the words “To face the music”. The candidate wrote, “The situation legs me to face the music”.

Having heard the learned counsels, the Tribunal makes it clear that it is not appropriate to review and pass orders on such matters. The Commission consists of experts and such questions are composed and answer of the candidates examined by them. In several judgements of the Hon'ble Apex Court, it has been made clear that the Courts and

ORDER SHEET

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Tribunals are not to interfere and decide correctness of questions of examinations.

Hence, the application is disposed of without passing any orders.

(SAYEED AHMED BABA)
Officiating Chairperson and Member (A)

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