

**Circuit Bench of Calcutta High Court
at Jalpaiguri**

¹²
sm **02.03.
2020**

W.P.A.995 of 2019

**Smt. Rupanjana Banik (Sarkar)
Versus
The State of West Bengal & Ors**

**Mr. Partha Sarathi Dev Barman,
Mr. Arun Kuma Chakraborty,
Ms. Madhushri Majumdar.
.....for the petitioner.**

**Mr. Debabrata Dhar, AGP,
Ms. Paramita Sahu.
.....for the respondent no.4.**

**Mr. Subir Kumar Saha,
Mr. Ankan Mitra,
.....for the State.**

Let affidavit of service filed in Court today is taken on record.

The grievance of the petitioner is that she appeared in the West Bengal Primary Teacher's Eligibility Text, 2014 hereinafter referred to as T.E.T. The petitioner says that at least four questions with erroneous multiple choice answers were in the question paper for the said TET examination contained in the booklet. The petitioner relies upon a Single Bench decision of this Court passed on April 01, 2019 in W.P.13499 (W) of 2017 (Priyanka Giri – Vs- The State of West Bengal & Ors) to demonstrate that in respect of the self-same examination this Court in the said case obtained a report from the Expert Committee. On basis of such report, it revealed to the Court that the multi-choice answers

contained in eight questions were discrepant thereby creating a doubt in the mind of the candidates who appeared in the examination as to the correct answers.

The Court therefore, directed the Secretary, West Bengal Board of Primary Education to award marks to the petitioner/petitioners in the said case who attempted the questions with wrong options in the key answers of JGB questions booklet series.

Considering the said judgment and the case advanced by the writ petitioner along with the materials on record, I direct the Secretary, West Bengal Board of Primary Education having his office at Acharya Prafulla Chandra Bhawan, DK-7/1, Sector-II, Salt Lake City, Kolkata -700 091 to consider the petitioner's case in the light of the judgment referred to hereinabove and come to a definite finding as to whether the petitioner had attempted any questions with erroneous multiple choice answers and if so, whether the petitioner is entitled to the marks in respect of such attempted questions.

This exercise has to be done within a period of two weeks from the date of communication of the instant order by granting the petitioner a reasonable opportunity of hearing.

In the event, the Secretary, West Bengal Board of Primary Education finds the petitioner is entitled to any marks then the said Secretary should also

ascertained whether by adding such marks the petitioner is entitled to qualify in the said examination. In such eventuality, the said Secretary shall communicate the same to the petitioner within a week from the hearing to be conducted by him.

Since no affidavit has been called for the allegations contained in the writ petition are deemed to have been admitted by the respondents.

The writ petition is disposed of accordingly.

There shall be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be supplied to the learned advocates appearing for the parties on compliance of all requisite formalities.

(ARINDAM MUKHERJEE, J.)