

01
14.12.2021.
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

**W.P.A 18494 of 2021
(Via Video Conference)**

**Nishapati Karmakar
-versus
State of West Bengal & Ors.**

**Ms. Juin Dutta Chakraborty,
Mr. Debasish Kundu.
...For the Petitioner.**

**Mr. Bhaskar Prasad Vaisya,
Mr. Joydip Banerjee.
...For the State.**

**Mr. Prosenjit Mukherjee,
Ms. Madhurima Sarkar.
...For the Madrasah Service
Commission.**

Leave was granted by this Court on 30th November, 2021 to the learned advocate on record of the petitioner to correct the prayer of the writ petition where 'physical education' has been erroneously mentioned as 'work education'.

The correction has duly been made by the learned advocate on record of the petitioner.

The petitioner participated in the 6th SLST, 2013 conducted by the Madrasah Service Commission. His grievance is that though the result has been published, the list of empanelled candidates was not uploaded in the website of the Commission.

The petitioner made an application under the Right to Information Act seeking information with regard to the marks obtained by him in the selection test.

The petitioner complains that the information sought for was not provided to him.

The learned advocate appearing for the Madrasah Service Commission has produced the final panel of empanelled candidates of 6th SLST (AT) 2013 in the subject work education (Pass), Bengali Medium General before this Court. The name of the petitioner is not appearing in the said panel.

The Commission has also come forward with the marks obtained by the petitioner. It has been mentioned that the total marks obtained by the petitioner is 58 and the total marks of the last empanelled candidate is 59. As the petitioner secured lesser marks than the lowest marks obtained by the last empanelled candidate, accordingly, he was not called for in the personality test.

As it appears that the petitioner was unsuccessful in securing marks higher than the marks secured by the last empaneled candidate in the selection test, accordingly, his name could not be empaneled in the list of selected candidates.

There is no reason to interfere in the writ petition.

The writ petition fails and is hereby dismissed.

The instruction given by the Commission is retained with the records.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)