

Court No. 17

WPA 3225 of 2022

08.06.2022

(SL 2)

(S. Banerjee)

Tairul Hoque Khan

Vs.

The State of West Bengal & Ors.

Mr. Ali Ahsan Alamgir

Ms. Riya Das

Ms. Rabia Khatoon

... for petitioner

Mr. Prosenjit Mukherjee

Ms. Madhurima Sarkar

... for the Madrasah Service Commission

The grievance of the petitioner is that because of some over-shading in the answer script, the petitioner has not been qualified in the examination conducted by the Madrasah Service Commission. His case is that the over-shading in answer of questions in OMR sheet in two circles against one answer was not marked by him. The other circle against the same answer was marked by some other person. It is only an apprehension. However, there may be some truth for which evidence is required to be taken.

Therefore, this writ application is not entertained. However, if the petitioner is so advised, he may approach the civil court by filing a suit for proving the allegations that the second circle against the same answer was marked by some other person which has been done by some other ink.

I have checked the ink of the second circle in respect of the different answers as to whether the second circle has been marked as true and correct answer beside another circle, and I have not found any different ink for shading those second circles against one answer.

Therefore, the writ application is dismissed.

The original OMR sheet in respect of Sk. Sahidul Islam, Mahidul Islam Mistry, Alia Khatoon and Tiarul Hoque Khan, which have been brought from court room no. 24 today, are returned to Mr. Mukherjee, learned advocate for the Madrasah Service Commission.

(Abhijit Gangopadhyay, J.)