

24 **25.04.
2022**

Ct. No. 04

Ab

**MAT 386 of 2022
IA No. CAN 1 of 2022**

**Din Mohammad Shaikh
Vs.
The State of West Bengal and others.**

Mr. S. N. Biswas.

... for the appellant.

**Mr. Ansar Mondal,
Mr. Khairul Alam.**

... for the State.

The affidavit of service filed in Court today is kept with the record.

Despite service there is no appearance on behalf of the West Bengal Board of Primary Education. However, the State is represented.

The writ petition filed by the petitioner was dismissed on 18th January 2022 on the ground that the petitioner has approached the authority at the belated stage and, therefore, is not entitled to any reliefs.

The petitioner/appellant appeared and/or participated in the TET, 2014 examination in the year 2015. Subsequently, the petitioner/appellant raised a grievance that the marks obtained by him in the said examination were not disclosed to him. An application under Right to Information Act was also made. Interestingly, the information was sought in such a manner, which is beyond any conceivable thoughts. The petitioner/appellant wanted the Board to disclose how many wrong questions have been incorporated in the said examination. Obviously, when the examination is conducted by the Board, such examination is conducted with a believe that there is no wrong question in it and, therefore, such ambiguous information was suitably

dealt with by the appropriate authority, which does not appear to us has been done in violation of the said Act.

However, the principal grievance remained over the non-disclosure of the marks obtained by the petitioner. Since the reply does not disclose the same, in our opinion, such grievance persists, as the authority cannot shy away from disclosing the same. The candidate, who participated in the examination, has a right to know the marks obtained by him/her or in other words the performance, which he/she has done in the examination and the moment the information was sought under Right to Information Act, such information should have been disclosed instead of taking a plea that after the result was published of the said examination, the same was available in the portal or official website.

We, therefore, set aside the impugned order.

The West Bengal Board of Primary Education is directed to inform the petitioner/appellant by disclosing the marks obtained by her on each subject in TET 2014 examination held in the year 2015 within three weeks from the date of communication of this order.

With these observations, the appeal and the connected application are disposed of.

There shall, however, be no order as to costs.

(Harish Tandon, J.)

(Rabindranath Samanta, J.)

