

Ct. 05
Item No.17
11.05.2022
(suvendu)

WPA 7911 of 2022

**Arup Paul & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Chandradoy Roy
.....for the petitioners

Mr. Swapan Kumar Datta
Mr. Dipankar Dasgupta
.....for the State

Mr. Nilotpal Chatterjee
Mr. Raja Saha
.....for the University

Mr. Soumya Majumder
....for the respondent no. 5

Mr. Nilay Baran Mandal
Mr. Debayan Sen
.....for the respondent no. 4

The present writ petition arises out of an obvious mistake on the part of the respondent no.5, being the Head of the Department of Bengali of the concerned College in awarding marks to eleven candidates in the 5th Semester Bengali Examination. The nine petitioners before this Court are from those eleven candidates whose marks were requested to be corrected by the Principal of the College to the Controller of Examinations of the University on 28.03.2022. This letter was followed by a letter

written by the petitioners to the Principal of the College on 04.04.2022.

Learned counsel appearing for the University submits that although this is a case of an admitted error in marking the students in the particular Paper, the Colleges under the University should take more care in marking students as the University faces operational difficulties subsequently in correcting such errors.

After hearing learned counsel, this Court is of the view that being a case of an obvious error, the petitioner's prayer for correction of the same should be allowed.

The respondent no.3, being the Controller of Examinations of the University, is directed to take appropriate steps in rectifying the marks of the petitioners and issue fresh mark-sheets to the petitioners within four weeks from date.

WPA 7911 of 2022 is allowed in terms of prayers (a) and (b) and disposed of accordingly.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Moushumi Bhattacharya, J.)