

29.06.2022.
Court No.13
Item No. 25
ap

W.P.A. No. 11532 of 2013
Md. Kamruzzaman & Ors.
Versus
The State of West Bengal & Ors.

Mr. Bikash Ranjan Bhattacharya, Sr. Adv.
Mr. Samim Ahammed,
Ms. Ambiya Khatun.

...For the petitioners.

Dr. Sutanu Kumar Patra,
Ms. Supriya Dubey.

..For the WBCSSC.

Ms. Chaitali Bhattacharya.

...For the State.

The petitioners participated in the 12th R.L.S.T. in the year 2011. The answer keys of the OMR questions in Bengali, English, Child Development and Pedagogy subjects were ambiguous and wrong. Experts have been appointed by the previous order of this Court on 27th June, 2019, for the subject of English and Bengali.

In that view of the matter, let an expert on the subjects Child Development and Pedagogy currently employed with the Jadavpur University to be nominated by the Head of the Department of Child Development and Pedagogy and/or the Head of the Department under which the subject is being taught, look into the answers to questions at page 17 of the writ petition.

The West Bengal Central School Service Commission shall obtain the opinion of the aforesaid experts on the lines of the order dated 27th June, 2019, passed in the instant matter.

The Commission may take suitable steps in terms of the opinion of the experts, upon intimation to the learned Advocate-on-Record of the petitioner. If the answer keys to the questions in the OMR Sheet in Child Development and Pedagogy is found incorrect or more than one answer is found correct, the Commission shall award marks to the candidates for the said questions. All the consequential benefits shall also follow to the candidates, who obtained such additional marks.

In addition to the allegations made in paragraph 10 of the writ petition, with respect to the Child Development and Pedagogy subject, the expert may also consider as to whether any questions outside the syllabus were mentioned as alleged in paragraph 14 of the writ petition. In the event it is found as such, marks for such questions shall automatically be awarded to the petitioners.

It is expected that the aforesaid exercise shall be completed within three weeks from date.

With the aforesaid observations, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)