

07. 23.11.2022
BD Ct.15

W.P.A. 13898 of 2019

Biswajit Sarkar

-vs-

Union of India & Ors.

Mr. Debabrata Mondal

Ms. Sreetama Neogi

... for the petitioner.

Mr. U.S.Menon.

Mr. Abhirup Chakraborty

... for the CBSE

(respondent nos. 3,4,5)

The writ petition was presented by a candidate who participated in Central Teacher Eligibility Test (CTET)- 2018 on the plea that assessment of answers of the petitioner in language II was erroneous necessitating reexamination of the answer written by the petitioner in language II paper and to award correct marks.

The learned advocate representing the petitioner while demonstrating his case on last occasion relied upon page 25 of the writ petition in order to submit that incorrect marks were awarded to the petitioner in language II relating to the question nos. 121 to 150. On perusal of page 25 it appears that the document annexed is key answer to the questions of paper II (04) Bangla and the same is applicable to those candidates who opted Bangla as language II.

Placing reliance on key answer at page 25 of

the writ petition this Court on last occasion proceeded on the basis that petitioner opted Bangla as language II and directed the learned advocate representing the Central Board of Secondary Education (CBSE), (Delhi), to file a report.

Today, Mr. Menon, learned advocate appearing for the CBSE, upon placing reliance at page 21 of the writ petition, admit card of the petitioner has submitted that petitioner participated in CTET 2018 had opted Bangla (04) as language I and English (01) as language II.

Such submission made on behalf of the CBSE authority cannot be negated by the learned advocate representing the petitioner based on pleadings made in the writ petition.

In view of aforesaid situation, it appears based on the admit card issued in favour of the petitioner, petitioner opted Bangla as first language and English as second language therefore while apprising allotment of marks to the petitioner in language II paper. Bangla ought not to be regarded as second language as per option exercised by the petitioner. Therefore it goes to show that key answer at page 25 of the writ petition (question nos. 121 to 150) is not applicable in case of the petitioner.

The report filed on behalf of CBSE authority in the form of an affidavit is taken on record.

In the above conspectus the writ petition does not merit consideration and the same stands

dismissed. However, there shall be no order as to costs.

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

(Saugata Bhattacharyya, J.)