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18.02.2022
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

**W.P.A 21388 of 2021
(Via Video Conference)**

**Saikat Bhattacharjee
-versus
State of West Bengal & Ors.**

**Mr. Ashis Kumar Chowdhury,
Ms. Deborupa Mukherjee.
...For the Petitioner.**

**Dr. Sutanu Kumar Partra,
Ms. Supriya Dubey.
...For WBCSSC.**

The petitioner participated in the selection process for recruitment of assistant teachers in the 1st State Level Selection Test 2016.

The petitioner has filed the instant writ application being aggrieved by the stand of the Central School Service Commission wherein the model key answer in respect of the question No. 40 was initially shown as option 'B' and thereafter, in the final model key answer which was published on 31st December, 2016 the correct option of question No.40 was shown as 'C'.

The petitioner submits that he ticked the correct answer in his answer script and he is entitled to one more marks in the total marks awarded to him.

The petitioner has made a representation before the Chairman of the West Bengal School Service

Commission on 7th October, 2021 and alleges that the same has not been considered till date.

It appears from the submissions made on behalf of the parties that with regard to question No.40 in the subject History, there is a dispute and matters are being referred to the Commission for reassessment by checking whether the petitioners marked the correct option or not.

Accordingly, the instant writ petition is disposed of by directing the respondent No.5 being the Secretary, West Bengal Central School Service Commission to consider the representation that has been filed by the petitioner on 7th October, 2021 at the earliest, but positively within a period of eight weeks from the date of communication of a copy of this order.

In the event, after checking the OMR sheet in respect of the subject History, it transpires that the petitioner will be entitled to one additional mark, then necessary consequential steps shall be taken by the respondent Commission strictly in accordance with law.

The aforesaid respondent shall intimate the petitioner the fate of checking his answer scripts and whether he actually received the one additional mark or not.

The petitioner is directed to forward a copy of the representation dated 7th October, 2021 to the aforesaid respondent at the time of communicating the order of the Court.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)