

Item-24. 13-10-2023

sg Ct. 8

FMA 694 of 2022
CAN 1 of 2022

Sanghamitra Biswas (Sarkar)
Versus
The State of West Bengal & Ors.

Mr. Lal Ratan Mondal, Adv.
...for the appellant
Mr. Ratul Biswas, Adv.
Mr. Kaushik Chowdhury, Adv.
...for the WBBPE
Mr. Amal Kr. Sen, AGP
MR. Lal Mohan Basu, Adv.
...for the State

1. The learned Single Judge dismissed the writ petition on the ground that the writ petitioner has failed to produce a copy of the order dated 5th January, 2021 in which many a similarly circumstanced candidate has been allowed six marks.
2. It is not in dispute that the petitioner has a similarly circumstanced candidate and by reason of the order dated 5th January, 2021, she is entitled to the benefit of six marks, if not awarded already. The said order is, in fact, in rem. The said order was also clarified that it shall not affect steps taken so far by the Board or the authority in the process of being taken by the Board in respect of TET 2014.
3. Under such circumstances, the impugned order is set aside. The appeal succeeds and the appeal and the application stand disposed of.
4. Urgent photostat certified cop of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Uday Kumar, J.)

(Soumen Sen, J.)

