

W.P.A. 6396 of 2023

**Dipu Sinha
Vs.
The State of West Bengal & Ors.**

Mr. Dibyendu Chatterjee,
Mr. Pritam Majumdar,
Mr. Rahul Deb Goenka ... For the petitioner.

Dr. Sutanu Kumar Patra,
Ms. Supriya Dubey ... For the WBCSSC.

Mr. Bhaskar Prasad Vaisya, AGP,
Mr. Mrinal Kanti Ghosh ... For the State.

The petitioner participated in the 12th Regional Level Selection Test, 2011 (Northern Region) for appointment in the post of Assistant Teacher.

The petitioner is complaining that in the said selection process, less meritorious candidates than him have been given appointment.

In view of the nature of allegation, the Commission was directed to file a report and in compliance thereof, a report is filed by the said Authority.

Mr. Chatterjee, learned advocate for the petitioner submits that in response to the application of the petitioner under the Right to Information Act, 2005, the West Bengal Regional Service Commission has informed the petitioner that he has scored 46.50 in subject, 18.00 in academic, 3.33 in personality test but the Commission has committed an error in totaling the said marks inasmuch as in the supplied information, the total score of the petitioner has been shown as 49.83 instead of 67.83.

He further submits that the Commission in its report has disclosed that the last candidate who was recommended for

appointment in the said selection test since has obtained total marks of 51.00, as such the petitioner having a total score of 67.83 is entitled to be appointed.

Dr. Patra, learned counsel for the Commission, referring to the Corrigendum of the information supplied to the petitioner which is annexed to the report of the Commission submits that the marks obtained by the petitioner in subject test was 28.50 but due to typographical error, the petitioner was informed that his said score is 46.50, the said Corrigendum was duly communicated to the petitioner.

Mr. Chatterjee, responding to the said submission of Dr. Patra submits that the Corrigendum was never supplied to the petitioner.

Having heard the learned counsel for the parties and on perusal of the records, it appears that the petitioner is claiming that there is mistake in the totaling of marks in the information supplied to him whereas the Commission is claiming such error is in the subject marks of the petitioner.

The Corrigendum of the said information was based on the records of the Commission as such, prevails over the information supplied to the petitioner.

The score of last candidate recommended for appointment in the said selection process is higher than the petitioner, as such the petitioner is not entitled to get the appointment as prayed for, W.P.A. 6396 of 2023 is therefore dismissed without any order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

Parties to act on the server copy of this order duly downloaded from the official website of the Court.

(Biswajit Basu, J.)