

WPA 8506 of 2023

**Baban Debnath
Vs.
State of West Bengal & Ors.**

Mr. Mani Sankar Chattopadhyay

Ms. Shalini Singh

....for the petitioner

Mr. Manas Kumar Sadhu

...for the respondent No. 1

The petitioner appeared in the selection process held pursuant to the employment notification dated April 18, 2019 issued by the office of the District Judge, Nadia at Krishnanagar. The grievance of the petitioner is that the OMR sheet has not been assessed/evaluate correctly.

Despite service no one represents the District Judge, Nadia, Krishnanagar today.

The State is represented but it is submitted that the learned counsel appearing on behalf of the respondent No. 1/the State of West Bengal is not representing the respondent Nos. 2 and 3 (Office of the District Judge).

Attention of this Court is drawn to pages no 39 and 40 of the writ petition by Mr. Chattopadhyay, learned counsel appearing on behalf of the petitioner to submit that the OMR sheet of the petitioner has not

been evaluated correctly. It appears to this Court that there is merit in the aforesaid submission made on behalf of the petitioner that his answer script is not appropriately assessed.

In the circumstances, this Court directs that the answer scripts of the petitioner may be re-evaluated by a person nominated by the District Judge, Nadia. Due care must be taken to avoid the person/agency that has already examined the aforesaid answer script. The new examiner may use his own source of information and answers in addition to the answer key already provided in the said examination. It is also made clear that in the event the petitioner is found successful in the process of examination and all stages thereafter, he shall be absorbed in a suitable post in the District Judgeship, Nadia. Due regard has to be given to the cut off marks that has already been stipulated in the aforesaid selection procedure.

The petitioner's appointment will be made, if at all subject to him coming under the zone of consideration.

With the aforesaid directions **WPA 8506 of 2023** is **disposed of**.

Since affidavits have not been invited in the present writ petition, the allegations made in the writ petition are deemed not to have been admitted by the parties.

All parties are to act on a server copy of this order downloaded from the official website of this Hon'ble Court.

Urgent certified website copies of this order, if applied for, be made available to the parties subject to compliance with all requisite formalities.

(Lapita Banerji, J)