

16.1.2023
Sl.No.2
Ct.19
sn

WPA 25333 of 2022

Sainur Khatun
Vs.
The State of West Bengal & Ors.

Mr. Mohaimenul Mondal
..for the petitioner

Mr. B.J. Basu
Mr. Uttam Kr. Dey
..for the State

Affidavit of service is taken on record. None appears on behalf of the respondent No.9.

The allegation in this writ petition is that despite the petitioner having performed very well at the interview, a candidate who obtained lower marks than the petitioner in the Madhyamik Examination from the West Bengal Board of Madrasah Education was selected to the said post.

A prayer has been made for a direction upon the authorities to recast the panel, by deleting the name of the respondent no.9 and incorporating the name of the petitioner. Further prayer has been made to consider the representation of the petitioner in accordance with law.

On the last occasion, Mr.Basu, learned advocate for the State respondents was requested by this Court to come back with specific instructions with regard to the issues raised in the writ petition including the

marks allotted to the petitioner and the respondent no.9.

A detailed report prepared by the Sub Divisional Officer, Chanchal and Member Secretary, ASHA Selection Committee, Chanchal, Malda, has been filed in Court with other supporting documents.

It appears that the authorities followed the procedure by giving 90% weightage to the marks obtained in the Madhyamik or its equivalent examination and 10% weightage to the marks obtained at the interview. Accordingly, two candidates were finally listed, having met the criteria.

“Details of marks obtained by two Candidates are mentioned below.

Name	Total Marks without additional subject	Marks Obtained without additional subject	Academic weightage (100%)	Academic weightage (90%)	Interview weightage	Total weightage	Rank
Barsha Roy	700	266	38.00	34.20	07	41.20	1
Sainur Khatun	800	322	40.25	36.23	4.4	40.63	2

Total marks obtained by the petitioner was 40.63 and the petitioner was placed at Rank-2. The total marks obtained by the respondent no.9 was 41.20 and she was placed at Rank-1. There was a single vacancy.

It also appears that the petitioner filed a complaint. She was called for a hearing by the Member Secretary, ASHA Selection Committee, Chanchal, Malda and she appeared at the hearing. She was informed of the marks obtained by the

selected candidate. A reasoned order was passed by the authority. This fact has been suppressed.

Upon perusal of all the documents filed before this Court, it appears that the petitioner got less marks than the selected candidate. Marks allotted by experts at the interview, cannot be a ground for judicial review. There are no allegations of bias, favouritism and infraction of rules.

Thus, there is no scope for interference in this writ petition. Accordingly, the writ petition is disposed of.

There will be, however, no order as to costs.

All parties are directed to act on the server copy of this order.

(Shampa Sarkar, J.)