

30.03.2023

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WPA 28478 of 2022

Miss Archita Ghosh
Vs.
The State of West Bengal & Ors.

Mr. Sanjib Bandopadhyay
Mr. Sidhartha Ghosh
... For the petitioner.

Mr. Anirban Sarkar
Mr. Abhisek Banerjee
... For respondent nos. 8 & 9.

Mr. Nilotpal Chatterjee
Dr. Madhusudan Saha Ray
Mr. Satyaki Banerjee
... For the University.

Mr. Suman Dey
... For the State.

In view of the fair stand taken by Mr. Nilotpal Chatterjee, learned advocate representing the University, this matter is disposed of by this order.

It is necessary to note that the factual aspects of the case as recorded in my order dated February 01, 2023. The said order is quoted below: -

“It is the grievance of the petitioner that her application dated September 6, 2022 under the Right to Information Act, 2005 was not responded to by the University. The petitioner sought for following information: -

“Information sought for :-

- (i) Marks obtained in Laboratory Note Sheet along with marks obtained in Viva Voce Test.

- (ii) Mars obtained in DSE-B4 (practical) experimental work.
- (iii) Supply to the applicant all the supporting documents along with Note sheet & related Graph (Kymographic Recording).

The information sought against item no.(i) and (ii) is already available with the petitioner.

With regard to the item no.(iii), the University submits that as per notification no. CSR/26/12 issued by the Registrar of Calcutta University, no application for evaluated answer scripts in practical papers shall be entertained by the University.

It has been insisted by the petitioner that the marks obtained by her in the practical examination have not reflected in the marksheet provided to her by the University. The petitioner strenuously insists that the college should be directed to produce the score sheet of the practical examination.

The college is not represented. The petitioner shall intimate this order to the college. The college should be represented on the next date.

List this matter after seven days under the same heading.”

Following the said order, the College was directed to produce the score sheet of the practical examination of the petitioner and the matter was fixed on March 03, 2023. When the matter was taken up on March 16, 2023, this Court recorded following orders:

“Initially this Court was not inclined to entertain this writ petition. However, being persuaded by the learned advocate for the

petitioner, this Court directed the College to produce the score sheet of the practical examination of the petitioner. The College has produced the score sheet of the practical examination which suggests that the petitioner obtained 26 marks out of 30 marks. While in the mark sheet given the Calcutta University shows the petitioner has obtained only 16 marks in the said examination.

It has been submitted by Dr. Madhusudan Saha Ray, learned advocate representing the University that the relevant Head Examiner has awarded only 16 marks to the petitioner.

The University will file an affidavit with the relevant documents explaining how the marks of the petitioner awarded by the College have been reduced to 16 from 26.

Let such affidavit be filed within two weeks from date.

List this matter after two weeks under the same heading.”

Today, it has been submitted by Mr. Chatterjee, learned advocate for the University that due to inadvertent mistake on the part of the Head Examiner, the University erroneously recorded the practical examination score of the petitioner as 16 instead of 26 in the mark sheet.

I am of the view that nothing remains to be decided further in this writ petition.

The writ petition is disposed of with a direction upon the University that it shall issue a revised mark sheet in

favour of the petitioner within fifteen days from date. As a good gesture, the University shall send the fresh mark sheet to the home address of the petitioner by a personal messenger.

With the above observations, **WPA 28478 of 2022** is disposed of.

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

(Kausik Chanda, J.)