

WPA 785 of 2024
Sri Subhrajit Roy
Vs.
The State of West Bengal & Ors.

Mr. Chittapriya Ghosh,
Mr. Somesh Ghosh

...for the Petitioner

Mr. Gourav Das,
Mr. Debapriya Chatterjee

...for the State

Mr. Monish Sen,
Ms. Oisani Mukherjee

...for Respondent Nos. 5-7

Mr. D. N. Chatterjee

...for Respondent No. 9

The petitioner was an aspirant for the post of Accountant at Dasarathi Hazra Memorial College, Purba Bardhaman, but he was not successful in the selection process. The petitioner has filed this writ petition alleging, *inter alia*, that despite scoring higher marks than respondent no.9 in the selection process, the college has appointed respondent no.9 to the relevant post.

This Court on February 9, 2024, directed the college to produce the records including the answer-scripts of the petitioner as well as of the selected candidate.

In compliance with the said order, the college has produced the records.

After going through the said records, learned advocate appearing for the petitioner submits that though the petitioner outscored the selected candidate in the written test, he was given significantly lower marks in

the computer test and interview. He further argues that on account of experience, the selected candidate was given additional five marks. Such allocation of marks was not in terms of the relevant advertisement. He submits that the selection committee, in a calculated manner, awarded higher marks to the relevant candidate in the interview and in the computer test.

On the other hand, the college submits that the selection committee was constituted strictly in terms of the notification no. 940-Edn (CS)/4E-25/2010 (Part) dated August 25, 2017 issued by the Department of Higher Education of the State. He submits that most of the selectors were outsiders negating any favouritism.

I am of the view that the selection procedure cannot be interfered with on the ground that in the computer test and interview, the selected candidate was awarded higher marks. The performance of the petitioner in the interview and computer test on the particular date cannot be reassessed by this Court sitting in the writ jurisdiction. This Court is also not inclined to interfere with the selection process for granting of additional marks on account of experience.

I am of the view that allotment of additional marks for the in-service candidate was permissible in terms of the aforesaid notification dated August 25, 2017, issued by the Government of West Bengal. It cannot be said that

the selection committee acted illegally in granting additional five marks to the selected candidate, who was an in-service candidate.

Accordingly, **WPA 785 of 2024** is not entertained and the same is dismissed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Kausik Chanda, J.)