

WPA 14320 of 2024

Subhadip Roy
-vs-
The State of West Bengal & others.

Mr. Md. Sarwar Jahan
Mr. Sanatan Hazra
...for the petitioner
Mr. Swapan Kr. Dutta
Mr. Rajat Dutta
...for the State
Mr. Washef Ali Mondal
...for the University

Affidavit of service filed on behalf of the petitioner is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner was a student under the Raiganj University. In the 6th Semester Examination, he was given 0 (zero) Grade Points in Indian Political Thought- II. He was made to fail in that subject resulting in losing his Honors in Political Science. He took physical inspection of the answer script and found that he was awarded only 13 marks out of 50. In an answer script supplied through RTI, it was found in the first page meant for tabulation of marks, the space was kept blank. Even in the answer script no marks were given corresponding to each of the answers. Thus, the petitioner was unable to proceed further with the redressal of his grievances.

Learned counsel appearing on behalf of the University Authorities denies the allegations and submits as follows. There is a provision that answer scripts are to be supplied to the candidate without disclosing the marks and that is what was done in the instant case. So far as the rules and regulations are concerned, there is only a provision for scrutinizing that is tallying whether the marks have been added properly. However, there is no provision for rechecking or reassessing of answer scripts. If the present application is allowed, then it will open flood gates for students, who are not happy with their marks, to come up with a different assessment from another teacher and claim reassessment.

Learned counsel appearing on behalf of the State also submits that there is no provision for reassessment of answer script.

It appears that the marks allotted to the petitioner was much less than the pass marks.

It is indeed true that if without any sanction of law, a candidate is allowed to obtain different assessments from different teachers and then claim reassessment of their marks, it will lead to absurd consequences.

Most importantly, apparently there is no provision that entitles the University to recheck or reassess answers scripts of candidates in examinations.

In view of the above, I do not find any merit in this application.

Therefore, the writ petition is dismissed. However, there shall be no order as to costs.

Urgent Photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)