

12.07.2024
Court No.13
Item No.29
AP

WPA 16504 of 2024

**Sanjida Parveen
Vs.
The State of West Bengal and Ors.**

Mr. Asim Hati
Mr. Debabrata Mandal
Ms. Sreetama Neogi
Mr. Antariksha Karmakar

... For the Petitioner.

Mr. Santanu Kumar Mitra
Mr. Subhabrata Das

... For the State.

Mr. Saikat Banerjee
Mr. Ratul Biswas
Mr. Kaushik Chowdhury

... For the WBBPE.

1. The petitioner seeks videography of the viva voce/ interview conducted by the West Bengal Board of Primary Education for the recruitment process of the year 2022. She submits that she participated in two earlier recruitment processes conducted in the year 2016 and 2020. In each she was awarded 1 and 1.5 marks.

2. It is submitted that given the petitioner's performance in the TET, academic qualifications and aptitude test, it is impossible that the petitioner get 1 and 1.5 marks in viva voce/ interview.

3. It is now well-settled that a viva voce/ interview marks are based on the subjective satisfaction of the members of the interview panel. To eliminate any chance

of subjectivity playing a vital role in any selection process in the country in terms of the dicta of the Supreme Court, the least of marks are reserved in any examination process for the viva voce/ interview part which is a subjective part.

4. The very nature and categorization of viva voce/ interview marks being subjective, the question of any review under Article 226 of the Constitution of India of such subjectivity does not and cannot arise.

5. In the aforesaid circumstances, the question of calling for any videography of the viva voce/ interview process of the petitioner for the recruitment process of the year 2022 does not and cannot arise.

6. For the reasons stated hereinabove, no relief can be granted to the petitioner.

7. Hence, the writ petition fails and hereby dismissed.

8. There shall be no order as to costs.

9. All parties are to act on a server copy of this order duly downloaded from the official website of this court.

(Rajasekhar Mantha, J.)