

M/L 105
13.11.2024
Court. No. 18
suvayan

WPA 20348 of 2023

**Prasanta Basu
Vs.
The Union of India & Ors.**

Mr. P. K. Bhattacharyay

...for the petitioner.

Mr. Sanjay Kumar Baid

...for the respondent nos. 2 & 3.

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

The father of a candidate who participated in the Indian Certification of Secondary Education (Class X) Examination, 2023 has approached with the present writ petition since the student is not satisfied with the marks awarded to her. Student expected higher marks in the said examination which prompted her to make a representation to the concerned authority of the Council for the Indian School Certification Examinations on 8th June, 2023 which is at Page 12 of the writ petition.

Mr. Baid, learned Advocate representing the Council submits that there is no provision for reassessment of answer scripts in connection with the said examination of 2023 where daughter of the petitioner participated. It is also submitted that relevant provisions of Right to Information Act, 2005 does not apply in case of the Council which requires the Council to supply answer scripts as prayed for.

Since a representation has been made by the student, the Chief Executive and Secretary of the Council is directed to consider the representation by eight weeks from date and

pass an order with regard to allotting marks in favour of the daughter of the petitioner who participated in Indian Certification of Secondary Education (Class X) Examination, 2023. The decision to be taken by the Chief Executive and Secretary shall be communicated to the petitioner by two weeks thereafter.

Leave is granted to the learned Advocate representing the petitioner to amend the cause title of this petition and add the Chief Executive and Secretary of the Council for Indian School Certificate Examinations as additional respondent in course of this day. However, service of notice upon the additional respondent stands dispensed with, since other authorities of the Council are represented by learned Advocate.

Accordingly, the writ petition being WPA 20348 of 2023 is disposed of.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Saugata Bhattacharyya, J.)