

09.05.2024

Ct. No.13

SS

sl.23

W.P.A. 23539 of 2022

Sri Abhik Chatterjee

Vs.

The State of West Bengal & ors.

Mr. Abhimanyu Banerjee

... For the petitioner

Mr. Supriyo Chattopadhyay

Mr. Arindam Chattopadhyay

Ms. Lipika Chatterjee

... For the State

Mr. Saikat Banerjee

Mr. Ratul Biswas

Mr. Kaushik Chowdhury

... for W.B.B.P.E.

Mr. Nilarnab Paul

... for the respondent nos.3, 4 & 5

1. Affidavit of service filed in Court today is taken on record.
2. West Bengal Board of Primary Education stands deleted from the array of the respondents in the proceeding.
3. Pursuant to order of coordinate Bench dated 10th May, 2022 passed in WPA 6304 of 2022 the NIOS was directed to verify the authenticity of the marks claimed to have been obtained by the petitioner against course code No.510. The institute where the petitioner underwent the aforesaid D.El.Ed. examination was the Tarifa Memorial Teachers' Training College, Hariharpara, Murshidabad.
4. There is a letter on record dated 1st June, 2019 issued by the said training College that the petitioner's

marks 28 out of 30 in course code 510 was mistakenly entered as 8 marks. This has been admitted in writing by the Principal of the Centre.

5. It appears from the impugned order that the genuineness of the petitioner's marks have not been verified as directed by coordinate Bench in its order dated 10th May, 2022 (supra). What is stated by the NIOS is that the marks provided by the training centre upto 30th March, 2019, as uploaded were final. It is therefore, submitted that the NIOS was in no position to rectify the marks of the petitioner.

6. This Court further notes that the petitioner as per the training institute's certificate has obtained 28 marks out of 30 in course code No.510..

7. In view of the above, this Court directs the NIOS to rectify its records and enter 28 marks out of 30 marks to the petitioner in the course code No.510 for the D.El.Ed. examination conducted in the year 2019 at the Tarifa Memorial Teachers' Training College, Hariharpara, Murshidabad for the year 2019-2020.

8. Let a fresh certificate and mark-sheet be issued in favour of the petitioner by the NIOS within a period of one month from the date of receipt of this order.

9. With the above observation, WPA 23539 of 2022 shall stand disposed of.

10. There will be no order as to costs.

(Rajasekhar Mantha, J.)