

Court No. 2
11.9.2024
(Item No. 39)
(AB)

IN THE HIGH COURT AT CALCUTTA
Circuit Bench At Jalpaiguri
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 1883 of 2024

Susobhan De
VS
The State of West Bengal & Ors.

Mr. S. M. Obaidullah (through virtual mode)
Ms. Sudipa Biswas
Ms. Ankita Dey
..... for the petitioner
Mr. Subir Kumar Saha, Ld. AGP
Mr. Sumit Kumar
.... For the State

The writ petitioner is a student of 4th year Electrical Engineering. He had appeared in the regular examination for **Power Generation & Economics** on **January 11, 2023**. He failed. Out of **70** the petitioner secured only **13**. In the internal assessment the petitioner secured **20** out of **30**. The petitioner applied for review. In review the petitioner secured **14** out of **70**. Thereafter, the petitioner also appeared in the special backlog examination (Supplementary) on **August 24, 2023**. The petitioner secured **25** out of **70** and the petitioner was provided evaluated as **Grade-‘D’**.

Through this writ petition the petitioner says he has submitted a representation dated **June 4, 2024** which has not been considered and the petitioner is not satisfied with the evaluation done by the institute.

Mr. Sumit Kumar, learned advocate appears for respondents. Today when the matter has been taken up learned counsel for the respondents submits a bunch of documents containing the review papers and its result and the supplementary examination paper and its result, the same is taken on record. Learned counsel for the respondents submits that, after proper evaluation of the answer script of the petitioner at the first stage then after the review stage the papers were correctly evaluated and marks was awarded. He further submits that, once the petitioner has appeared for supplementary examination which is the special backlog examination, there is no further scope for evaluation of the original answer script in the regular first examination.

After considering the rival contentions of the parties and upon perusal of the materials on record it appears to this Court that, once the petitioner had appeared in the supplementary examination and has been evaluated by the institute, there is no scope for the petitioner to question of evaluation that had happened in the first examination, though after review of the said evaluation his number was increased by **one**. After overall consideration on the issue and the materials on record and after considering the rival contentions of the parties, this Court is of the view

that there is no scope to interfere with the evaluation of the answer script of the petitioner any further.

In view of the foregoing reasons and discussions this Court finds that, this writ petition is devoid of any merit and liable to be dismissed.

Accordingly, this writ petition **W.P.A. 1883 of 2024** stands **dismissed**, without any order as to costs.

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

(Aniruddha Roy, J.)