

Form No. J.(2)
Item No. 15
AB

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

Present:

The Hon'ble Justice Aniruddha Roy

W.P.A. 284 of 2025

Sayan Nandy
Vs.
Union of India & Ors.

For the petitioner	:	Ms. Debolina Ghosh, Advocate Ms. Ria Naskar, Advocate
For Union of India	:	Mr. Ram Chandra Agarwal, Advocate Mr. Tapan Bhanja, Advocate
Heard on	:	August 7, 2025
Judgment on :	:	August 7, 2025

Aniruddha Roy, J.

Affidavit of service filed in Court today is taken on record.

Ms. Debolina Ghosh, learned advocate appears for the petitioner with Ms. Ria Naskar, learned advocate.

Mr. Ram Chandra Agarwal, learned advocate appears through virtual mode for Union of India/respondents with Mr. Tapan Bhanja, learned advocate appearing physically.

1. The writ petitioner was an aspirant for the post of **Constable (GD) in Central Armed Police Forces (CAPFs), SSF and Rifleman (GD) in Assam Rifles Examination, 2024 (for short, Selection process)**. The petitioner appeared in the written examination. According to him, the petitioner has been assessed by way of a wrong evaluation as the marks he has scored in the written examination, was not taken into account and

as a result, since, he has been awarded with a lesser marks **33.75** he did not come within the consideration zone. As per the answer key published by the authority the petitioner ought to have assessed **36**.

2. In view of the said lesser marks being awarded, the petitioner was not considered within the consideration zone. Hence, this writ petition.
3. Mr. Ram Chandra Agarwal, learned counsel appearing for the respondents submits that, the final result of the relevant selection process has already been declared on **December 13, 2024**. The panel was prepared. However, publication has already been made inviting candidatures for the next selection process for the year **2025**. The vacancies which were there with regard to the selection process of **2024**, in which the petitioner participated have already been carried forward and credited to the next selection process for the year **2025**. This writ petition has been filed in **January 2025**, at a belated stage questioning the said selection process of **2024**.
4. The respondents further submits that the answer script referred to by the petitioner was a tentative answer script and after publication of the final answer key it was found that, the petitioner has answered wrongly to the relevant question. In as much as, referring to **Clause 12.1.4** from the terms and conditions of the selection process contained in the notice inviting candidatures dated **November 24, 2023, annexure P-2** at **page 18** to the writ petition, respondents submit that there was no provision for re-evaluation/re-checking of the score. No correspondence in this regard was allowed to be entertained. He submits that, the

representations made by the petitioner were not entertained and not replied to by the respondents.

5. Learned counsel for the respondents prays for dismissal of this writ petition.
6. After considering the rival contentions of the parties and upon perusal of the materials on record, this Court is of the view that once the selection process is over for the relevant year in **December 2024**, there is no scope for entertaining this writ petition having been filed subsequent thereto in **January 2025**.
7. The terms and conditions of the selection process further stipulate that, there shall be no provision for re-evaluation/re-checking of the score and no correspondence in this regard should be entertained.
8. The answer keys are also prepared by the experts and the answers are assessed by the experts. The law is well settled that Court cannot sit in appeal on a decision and opinion of experts, neither the Court can substitute an expert's opinion, more so, when there is a specific bar for re-evaluation/rechecking of the score under the terms and conditions of the selection process.
9. In as much as, at this belated stage when the entire panel is prepared and has been given effect to and no vacancy is left out for the relevant year of the selection process, for one such candidate in such a belated writ petition, the selection process which has already been concluded cannot and should not be interfered with.

10. In view of the foregoing reasons and discussions, this Court is of the firm and considered view that this writ petition should not be entertained and is devoid of any merit.
11. Accordingly, this writ petition being **W.P.A. 284 of 2025** stands **dismissed**, without any order as to costs.
12. Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)