

**30/03
2026**

**AD/11/24
266312
NANDY**

(DISMISSED)

**In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA/5112/2026

**SAYANTAN BISWAS & ORS.
VS.
THE STATE OF WEST BENGAL & ORS.**

Mr. Sabyasachi Chatterjee, Advocate
Mr. Omar Faruk Gazi, Advocate
Ms. Susmita Das, Advocate
Ms. Shaoni Panda, Advocate

.....for the Petitioner

Mr. Kunal Ganguly, Advocate

.....for the WBBSE

Mr. Rajat Dutta, Advocate
Mr. Anirban Datta, Advocate

.....for the State

Mr. Kalyan Bandopadhyay, Sr. Advocate
Mr. Biswaroop Bhattacharya, Advocate
Ms. Pramiti Bandopadhyay, Advocate
Mr. Arka Kumar Nag, Advocate
Mr. Rahul Kumar Singh, Advocate

.....for the WBCSSC

1. Affidavit of service, as filed by the petitioners, be kept with the record.
2. The petitioners are aggrieved that their grievance made on 24.09.2025 has not been considered, seems to be unfounded. The Expert Committee was appointed for the subject of the petitioners' (Education) on 09.10.2025. The Expert Committee has considered the objections received by it on 14.10.2025 and has duly published the final answer key.
3. There is no provision in the Rules by notification no. 764-SE/S/10M-03/2025 dated 29.05.2025 for re-evaluation of the publication of the final answer keys. The decision of the Expert Committee is final and binding. The result was published sometime in November 2025. The petitioners are successful candidates and are participating in the counseling rounds.

4. There is no reason to cause a fresh re-evaluation at this belated stage, since the petitioners have already got their opportunity and such objections have been considered by the Expert Committee.
5. The Rules in the notification are absolutely clear in as much as rules 11 (vi) & (iv) are clear as to the manner and method of preparation of panel upon consideration of selection of candidates of the State Level Selection Committee (SLST).
6. The decision of the Hon'ble Supreme Court of India reported in **2021 (2) SCC 309**, that re-evaluation should not be undertaken by a Court, unless specifically permitted by the Rules.
7. In the present case, the Rules do not specify a second challenge to the views of the Expert Committee. The preliminary answer key may be challenged by way of objection, which the petitioners have done, and there is no reason to believe that such objection was not considered by the Expert Committee in its meeting held on 14.10.2025.
8. It has also been made clear by a Hon'ble Division Bench of this Court in **MAT/30/2026** (*Swaoni Bhattacharjee Vs. The State of West Bengal & Ors.*) that the "*power to interfere is not when the order impugned is not right, but when it is clearly wrong*".
9. The petitioners, who have come within the zone of consideration and are presently waitlisted, cannot seek a right beyond the Rules guiding them. The petitioners were aware of the Rules when they participated in the examinations and are bound by the decision of the Expert Committee as stipulated in the Rules.
10. The said Rules are not under challenge and a decision taken in consonance with such Rules

cannot be altered on the ground that a second round of objection ought to be entertained by the Expert Committee. Any interference at this stage causing a re-evaluation of the petitioners will disrupt the entire process undertaken pursuant to the SLST and will cause irreparable harm and prejudice to lakhs of other candidates who have been successful and are awaiting appointment or consideration in the counseling rounds.

11. In view of the afore-stated, **WPA/5112/2026** is **dismissed**. There shall, however, be no order as to costs.

(Reetobroto Kumar Mitra, J.)