

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

The Hon'ble Justice Soumitra Pal (Chairman)
& The Hon'ble Mr. P. Ramesh Kumar (Administrative Member)

Case No – OA 1190 OF 2017

AMIT ROY Vs The State of West Bengal & Ors.

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
<p>4</p> <hr/> <p>03.10.2018</p>	<p>For the Applicant : Mr. P. Thakur Mr. A. Saha Advocate</p> <p>For the Respondents: Mr. G.P. Banerjee Advocate</p> <p>In this application, the applicant, who had applied for the post of Constable (Male) in the West Bengal Police and had appeared in the Physical Measurement Test, Physical Efficiency Test and Medical Test has challenged the marks awarded in the OMR sheet.</p> <p>Mr. P. Thakur, learned advocate for the applicant referring to paragraphs (s) and (v) at pages 12 and 14 respectively of the application submits that though the recruitment board has found the answers incorrect, since answers given by the applicant in the written examination are correct, marks be awarded to the said answers and the applicant be placed above the last successful candidate who had secured 48.035 marks.</p> <p>Mr. G.P. Banerjee, learned advocate for the applicant relying on the written reply submits that the</p>	

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SCN.	<p>applicant had scored 47.66 marks and that the last successful candidate scored 48.035 marks and the answer given by the applicant is incorrect as evident from the written reply filed by the State.</p> <p>It is submitted on behalf of the applicant that the matter should be sent to an expert other than the expert who had conducted the examination on behalf of the Board.</p> <p>Heard learned advocates for the parties. Admittedly the last OBC-B successful candidate had secured 48.035 marks and the applicant, an OBC-B candidate had scored 47.66 marks.</p> <p>In our view, since the recruitment body consisting of experts have evaluated the answer scripts and Courts do not possess that expertise, it should be slow in directing fresh evaluation of answer scripts. Therefore, no order is passed on this application. The application is disposed of.</p> <p>Urgent photostat certified copy of this order, if applied for, be furnished to the parties on priority basis.</p> <p>(P. Ramesh Kumar) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	