

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present : **HON'BLE JUSTICE SOUMITRA PAL,** **HON'BLE CHAIRMAN &**
HON'BLE SAYEED AHMED BABA, **ADMINISTRATIVE MEMBER.**

Case No. – OA 177 of 2022.

GOUTAM DAS– VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

For the Applicant : Mr. Subir Kumar Bhattacharjee,
Advocates.
For the State respondents : Mr. G.P. Banerjee,
Advocate.

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11.5.2022

In this application Goutam Das, the applicant who had appeared in the selection process for the post of Constable pursuant to the advertisement to the post of Constable in West Bengal Police, 2020 has prayed for certain reliefs, the relevant portion of which is as under :-

“...To direct the Respondents, their men and agents to produce the answer sheet of the Applicant before the Hon'ble Tribunal so that the real state can be brought to light..”

Mr. Subir Kumar Bhattacharjee, learned advocate for the applicant submits, since the applicant is meritorious, marks awarded are not accepted by the applicant.

Mr. G.P. Banerjee, learned advocate on behalf of the State respondents submits that the applicant had answered on the OMR sheet, which was scanned in the computer and results have been published. Submission is question papers were set by the experts. The answers were also scrutinised by the experts. Submission is Tribunal cannot enter into the jurisdiction of experts.

Heard learned advocates for the parties.

It is to be noted that the applicant has submitted the application on three grounds, which are as under :-

“A) FOR THAT the actions of the Respondents are arbitrary and it shows colourable exercise of powers.

B) FOR THAT the Applicant believes that he has not

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cut a sorry figure in the examination, but in the mark sheet there is no reflection of it and the Applicant firmly believes that the answer papers are not properly scrutinised and properly marked.

C) FOR THAT the actions of the Respondents are otherwise bad in law”.

We are of the view that the belief cannot be the ground to challenge the answer scripts since preparation of questions, scrutinisation and evaluation of answers are carried out by experts, Tribunal cannot enter into their jurisdiction. Hence, no order is passed on the application. The application is disposed of.

(SAYEED AHMED BABA)
MEMBER(A)

(SOUMITRA PAL)
CHAIRMAN.

Sk.