

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. – OA 782 of 2022

Subhajit Mishra -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mr. A. Nandi,
Ld. Advocate.

For the State Respondent : None.

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07.12.2023

For the PSC, WB : Mr. A.L. Basu,
Mr. S. Bhattacharjee,
Ld. Advocates.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsel, the case is taken up for consideration sitting singly.

Reply filed on behalf of the PSC, West Bengal, Respondent Nos. 2 & 3 be kept on record.

The applicant has prayed for a direction to the respondent authorities to rectify the wrong answer given against question no. 65 in the answer key in connection with the written examination for the post of Motor Vehicle Inspector (NT) – 2018. Submission of Mr. Nandi, learned counsel for the applicant is that the answer given by the Public Service Commission, West Bengal for question no. 65 is incorrect and as a result, the applicant was not awarded the due marks allotted for that question which according to him, the applicant had given the correct answer. Responding to the submissions of Mr. Nandi, Mr. Basu, learned counsel for the Commission points out that such decisions are taken by the experts only and can be reviewed by them, if so directed. Further, Mr. Nandi also submits that the Hon'ble High Court, Calcutta by its own order in WPA No. 27662 of 2022 had directed the Commission to have the same question no. 65 reviewed by the experts of the Commission.

Having heard the submissions of the learned counsels, this application is disposed of by directing the Respondent No. 2, Secretary, Public Service Commission, West Bengal to have the correctness of the answer to question no. 65 reviewed by the experts of the Commission as per Rule within a period of eight (8) weeks from the date of communication of this order.

Accordingly, the application is **disposed of**.

CSM/SS

SAYEED AHMED BABA
Officiating Chairperson & Member (A)