

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

THE HON'BLE SAYEED AHMED BABA, OFFICIATING CHAIRPERSON AND ADMINISTRATIVE MEMBER,

Case No. - OA 792 OF 2023

SANCHITA GHOSH - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

02
04.03.2024

For the Applicant : Mr. Kiron Sk.
Advocates

For the State respondents : Mr.Soumendra Narayan Ray
Advocate

For the Public Service Commission, : Mr.Sourav Bhattacharjee
West Bengal Advocate

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 counsels for the contesting parties, the case is taken up for consideration sitting singly.

The applicant has filed this application challenging the answers of questions assessed by the Commission for the examination to recruit to the post of Supervisor (Female only) of ICDS of 2019. Such selection process was conducted by the Public Service Commission and its result was published on 03.02.2023. The applicant questions the decision of the Commission in evaluating the answers fixed to question No. 4(h) in Paper 3; Question No. 13 in Paper 4; Question No. 9 in Paper 4 and Question No. 3(k) in Paper 1. According to the learned counsel for the applicant, the Commission was wrong in evaluating the answers to these questions. Instead of agreeing to the answers given by the candidate to these questions, the Commission has crossed it as if the answers were wrong.

Submission of Mr.S.Bhattacharjee, learned counsel is that it is a well

ORDER SHEET

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settled law and practice that questions in the recruitment examinations are evaluated by experts nominated by the Commission and their decisions cannot be over ruled or disagreed by the candidates.

After hearing the submissions, it appears that the candidate felt that the reasons for having not been selected were due to the incorrect evaluation done by the Commission to the answers she had given. For instance, the applicant feels that the antonym of 'Ferocious' in question No. 3(k) should be 'Calm', but it was crossed 'x'. Mr.Bhattacharjee, however, feels that the antonym to 'ferocious' can be several other words, and the experts did not agree to the word 'calm' as antonym of 'ferocious'

Whether such answers were correctly evaluated or not, the Tribunal feels it is the complete domain of the experts of the Commission and neither the Tribunal nor the applicant should question their decisions. It is a well settled law that the Tribunal cannot interfere and question the very decision taken by these experts nominated by the Commission to evaluate the answer scripts of the candidates appearing in different examinations.

Accordingly, finding no merit in this application, the application is dismissed.

BLR

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON AND MEMBER (A)