

HIGH COURT OF TRIPURA
_A_G_A_R_T_A_L_A_

WP(C) No.142 of 2026

1. Smti. Niyati Bhowmik (Debnath)

.....Petitioner

_V_E_R_S_U_S_

1. The State of Tripura and 2 Others

.....Respondents

For Petitioner(s) : Mr. K. Pandey, Advocate.

For Respondent(s) : Mr. K. De, Addl. G.A.

HON'BLE JUSTICE DR. T. AMARNATH GOUD

_F_I_N_A_L_O_R_D_E_R_

16.03.2026

Heard.

[2] The present petition has been filed under Article-226 of the Constitution of India directing the respondent authorities to furnish the information sought for vide RTI applications dated 01.07.2025 in favour of the petitioner.

[3] The petitioner has prayed for the following reliefs:

“It is, therefore, humbly prayed that Your Lordships would graciously be pleased to issue Rule upon the Respondents to show cause as to why the Respondents should not transmit all records relating to the case of the Petitioner;

AND

As to why a writ in the nature of mandamus should not be issued directing the Respondents to furnish information's sought for vide RTI applications dated 01.07.2025 in favour of the petitioner.

AND

As to why such other order/orders should not be passed so as to give full relief to the Petitioner and, upon causes shown, to make the Rule absolute”

[4] The facts in brief are that the petitioner had filed 3(three) separate applications dated 01.07.2025 under Right to Information Act, 2005 through her learned counsel. However, even after expiry of the mandatory period of 30 days, as stipulated under the RTI Act for furnishing of information, the respondent authorities chose not to furnish the required information. Thereafter a First Appeal under Section-19 of the RTI Act was preferred before the First Appellate Authority and reminder letter was also sent to the respondents on 31.01.2026. However, till date no information has been supplied to the petitioner.

[5] Hence, the present petition has been preferred by the petitioner before this Court for redress.

[6] Mr. K. Pandey, learned counsel appearing for the petitioner has submitted that for getting the required information three separate applications under RTI were filed. The applications were delivered by post in the office of the respondent No.3 on 04.07.2025. However, even after expiry of the mandatory period of 30 days, as stipulated under the RTI Act for furnishing of information, the respondent authorities chose not to furnish the required information and even after expiry of 30 days, the respondent did not give any reply nor discloses or supplied any information.

[7] Thereafter, on non-receipt of any information, the petitioner through his engaged counsel had preferred an appeal under Section-19 of the RTI Act on 11.10.2025 before the respondent No.2 i.e. the First Appellate Authority under the RTI Act, praying to direct the concerned Public Information Officer to furnish the information as sought vide RTI application dated 01.07.2025. It has been further contended that after filing of the said first appeal, the respondent No.2 also did not give any reply to the petitioner.

[8] Learned counsel appearing for the petitioner has further submitted that on 31.01.2026, the petitioner through his engaged counsel submitted a representation dated 30.01.2026 before the respondent No.2 and prayed for directing the respondent No.3 to furnish the information as sought in the RTI application within 7 days from the date of receipt of the said representation. The said letter was duly delivered on 02.02.2026 but even after expiry of more than 20 days from the date of receipt of the said representation, the respondents neither furnished any information nor gave any reply.

[9] The impugned action of the respondent authorities, are in clear violation of the mandated of Section-6 and Section-19 of the RTI Act and as such this is a fit case where this Court in exercise of its power under Article-226 of the Constitution of India would direct the respondent authorities to provide the information as sought for vide application dated 01.07.2025 and also direct the respondents to pay the penalty amount to the petitioner for not furnishing the said information within the stipulated time.

[10] Learned Addl. G.A. appearing for the respondents has submitted that the appellate authority i.e. respondent No. 2 disposed of the appeal on 07.03.2026 directing the SPIO to furnish the information as sought for along with copies of relevant documents. In terms of the order of the Appellate Authority the SPIO i.e. SDM, Udaipur Gomati sent the required reply along with relevant documents to the petitioner through special messenger on 09.03.2026 i.e. on the date of first listing of the writ petition itself for Motion.

[11] In view of above and having heard the learned counsel appearing for the parties, this Court is of the view that appropriate proof of service by the petitioner is not placed on record. When the learned counsel appearing for the petitioner was asked to place his averments regarding service, nothing has been answered by him. In that view of the matter, the present petition stands dismissed of. However, presence of Sri Rinku Lather, IAS, DM & Collector, Gomati and Sri Tridip Sarkar, TCS Sub-Divisional Magistrate, Udaipur stand dispensed with.

[12] As a sequel, miscellaneous application, pending if any, shall stands closed.

DR.T. AMARNATH GOUD, J

A. Ghosh

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