

20-01-2020
Court No.2
Sh/07.

**CIRCUIT BENCH OF
CALCUTTA HIGH COURT
AT JALPAIGURI
WRIT APPELLATE JURISDICTION
APPELLATE SIDE**

W.P.A. 05 OF 2020

**Sri Rameshwar Prasad (Kalawar). . . Petitioner.
Vs.
The State of W.B. & Ors.... Respondents.**

Mr. Sunil Kumar Sarkar.
 . . .For the Petitioner.
Mr. Debabrata Dhar (AGP)
Ms. Paramita Sahu.
 . . .For the State.

The petitioner, herein, is aggrieved by the inaction on the part of the respondent authorities under the Right to Information Act, 2005 to furnish the information with regard to the query dated January 28, 2019 as would appear at page 43, annexure P-8 to the writ petition.

It appears that the Special Land Acquisition Officer, Darjeeling failed to provide the information sought for by the petitioner which are quoted hereinbelow;

- a) *"Whether any award has been declared in connection with the above mentioned land on the basis of the publication in the Calcutta Gazette dated 27-12-2006 baring No.3401/LA/SJDA/5/4/05-06/4B/27/2006?"*
- b) *If award has been declared, the date of award and amount of award;*

- c) *Whether awarded amount has been paid and if paid, date of payment;*
- d) *Copy of declaration of award, if any"*

Being aggrieved, the petitioner preferred an appeal before the Appellate Authority under Section 19 of the Right to Information Act, 2005. It is submitted on behalf of the petitioner that such appeal has not yet been disposed of.

However, the learned Additional Government Pleader is present in Court today and is contesting the matter.

The Special land Acquisition Officer, Darjeeling has not yet furnished the information as sought for by the petitioner.

The instant writ application is disposed of with a direction upon the Special Land Acquisition Officer, Darjeeling to furnish information as per the query of the petitioner in the letter dated 28th January, 2019 in accordance with law. Such information should be furnished to the petitioner within a period of two weeks from the date of communication of this order. If the petitioner is aggrieved by the information supplied, then the petitioner will be at liberty to prefer an appeal in accordance with law.

Urgent Photostat certified copy of this order, if applied for be supplied to the learned advocates appearing for the parties expeditiously on compliance of all requisite formalities.

(SHAMPA SARKR, J.)