

11.01.2021.

WPA 11230 of 2020

Dr. Tanmay Malakar @ Tanmay Malakar
Vs
The State of West Bengal & Ors.

Mr. Biswarup Biswas
... For the Petitioner.

Mr. Raja Saha
Mrs. Arpita Saha
Mr. Sanjay Mukherjee

...For the State Information Commission..

Mr. Dwarika Nath Mukherjee
Mr. Manik Lal De
... For the State.

Affidavit of service is filed in Court today be kept with the records.

Learned Counsel appearing for the petitioner submits that a representation dated 16th October, 2020 has been made before the West Bengal Chief Information Commissioner, but such representation (Second Appeal under Section 19(3) of the Right to Information Act, 2005) has not been considered by the West Bengal Chief Information Commissioner till date.

Learned Counsel appearing for the West Bengal Chief Information Commissioner submits that in this pandemic situation all the matters could not be disposed in time and as prescribed by law.

Heard both the parties.

The West Bengal Chief Information Commissioner being the respondent no. 3 is requested to consider the representation dated 16th October, 2020 (Second Appeal under Section 19(3) of the Right to Information Act, 2005) within a period of four months from date after giving an opportunity of hearing and to allow the petitioner to produce necessary documents at the time of hearing. The West Bengal Chief Information Commissioner being the respondent no. 3 is also requested to communicate such decision arrived at by him at an earliest

However, it is made clear, that this will not create any precedence regarding the other matters.

With the above direction WPA 11230 of 2020 is disposed of.

Since no affidavits have been invited, the allegations contained in the writ petition are deemed not to have been admitted by the respondents.

There will be no order as to costs.

The parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Rajarshi Bharadwaj, J.)