

OD-1

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/1191/2021

M. SAFIULLA WAKF ESTATE AND ANR.
Versus
THE STATE INFORMATION COMMISSION, WEST BENGAL AND ORS.

BEFORE:

The Hon'ble JUSTICE RAJASEKHAR MANTHA

Date : 29th November, 2021.

Appearance :
Mr. Ranajit Chatterjee, Adv.
Mr. Aniruddha Mitra, Adv.
... for the petitioner.

Mr. Raja Saha, Adv.
Ms. Arpita Saha, Adv.
Mr. Sanjay Mukherjee, Adv.
... for the Commission.

Mr. Supratim Dhar, Adv.
... for the respondent no.3.

The Court: The petitioner is aggrieved by non disposal of a second appeal before the State Information Commission being Case No. 2176 of 2021.

It appears that the petitioner had sought information from the SPIO on 31st March, 2021, through his Advocate-on-Record Mr. Aniruddha Mitra. The information sought is with regard to acquisition of 12 flats in premises No.2, Syed Amir Ali Avenue, P.S.- Beniapukur, Kolkata-700017.

On failure to receive any information, the matter was carried to the First Appellate Authority on 15th June, 2021 albeit with some delay. The matter thereafter reached the Second Appellate Authority being the State Information Commission, which is pending disposal.

The submissions of the Counsel for the Commission, Mr. Raja Saha cannot be brushed aside lightly. There is presently only one Chief Commissioner and one Commissioner functioning at the SIC for the entire State of West Bengal. The normal strength is one Chief Commissioner and eleven Commissioners. The Commission is burdened with huge number of cases and a huge backlog of appeals.

The SPIO is represented before this Court. It is very fairly submitted on behalf of the SPIO that the information sought by the writ petitioner shall be made available to him within next two days.

In view of the above, the writ petition is disposed of.

No order as to costs.

In view of the above, the appeals before the First and Second Appellate Authorities shall be deemed to have been infructuous.

Urgent photostat certified copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(RAJASEKHAR MANTHA, J.)

