

09.11.2022
Court No. 19
Item no.08
CP

WPA No. 3536 of 2022

Safikunnessa Bibi
Vs.
The State of West Bengal & Ors.

Mrs. Pampa Dey (Dhabal)
... for the petitioner.

Mr. A. Ray, Ld. G.P.
Mr. Raja Saha
Mr. D. Ghosh

...for the State.

Mr. Surya Prasad Chattopadhyay
Mr. Arjun Samanta

...for the respondent no. 10.

The petitioner is aggrieved by the information supplied on August 23, 2021 by the Chief Medical Officer of Health to the queries made under Section 6(1) of the Right to Information Act, 2005. According to the petitioner the answers are not satisfactory.

If a party is aggrieved by the decision of the SPIO, the law provides for a first appeal before the designated authority under Section 19(1) of the Right to Information Act, 2005 (hereinafter referred to as 'the said Act'). There is also a provision for a second appeal under Section 19(3) of the said Act.

Under such circumstances, the writ petition is disposed of granting liberty to the petitioner to prefer a first appeal and thereafter exhaust the other remedies under the law.

If such appeal is filed before the first appellate authority within 10 days from date, the same shall be disposed of in accordance with law.

Accordingly, the writ petition is disposed of.

There will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)