

AD-09
Ct No.09
22.08.2022
TN

WPA No. 9170 of 2022

Adwaita Dinda

Vs.

The Second Appellate Authority and State Chief
Information Commission, West Bengal Information
Commission and others

Mr. Sakya Maity,
Mr. Subhas Jana

.... for the petitioner

Mr. Raja Saha,
Mr. Sanjay Mukherjee

.... for the West Bengal
Information Commission

Liberty is granted to the learned Advocate-on-record for the petitioner, on prayer, to amend the computer sheet annexed with the writ petition inasmuch correction of the classification is concerned.

Learned counsel for the petitioner contends that the petitioner applied for information which was kept pending by the first authority, for which a first appeal had been preferred before the appropriate appellate authority, that is, the respondent no.4. Due to long pendency of the said first appeal, a second appeal has been preferred, which is also pending before the present respondent no.1.

Learned counsel appearing for the respondent no.1, by handing over a Notification dated June 06,

2022, submits that the said office is at present defunct. As such, unless a new official is appointed, no direction could be carried out in the meantime.

However, in his usual fairness, learned counsel for the respondent no.1 suggests that the first appellate authority may, if the court so chooses, be directed to decide expeditiously the first appeal of the petitioner, which is pending before the first appellate authority, that is, the respondent no.4.

Accordingly, WPA No. 9170 of 2022 is disposed of by directing the respondent no.4, that is, the Secretary & Appellate Authority, Dept. of Health & Family Welfare, Swasthya Bhawan, Salt Lake, Kolkata, to decide on the appeal preferred on December 02, 2021, by way of the application annexed at page-23 (Annexure P-5) of the writ petition, as expeditiously as possible and upon hearing all the concerned parties in accordance with law, preferably within September 30, 2022.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)