

20.06.2022

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Sl. No. 08

Ct. No. 05

WPA 10372 of 2022

Tushar Kanti Ghosh

-Versus-

The State of West Bengal & Ors.

Mr. Soujanya Bandyopadhyay

..... for the petitioner

Mr. Samrat Sen

Mr. Suwendu Sengupta

.... for the State

Mr. Raja Saha

Mrs. Arpita Saha

Mr. Sanjay Mukherjee

.... for the State information Commission

The prayer in the writ petition relates to a direction on the State Information Commission to dispose of a second appeal under Section 19(3) of The Right to Information Act, 2005.

It appears from the submissions made by the learned counsel appearing on behalf of the parties that the prayer of the petitioner relates to certain information to be disclosed by the BL&LRO, Minakhan being the respondent No. 8 herein to provide certain information to the petitioner. According to learned counsel appearing for the petitioner, the prayer relates to an application made by the petitioner on 22.03.2021. The order of the Additional District Magistrate and DL&LRO, North 24 Parganas dated 30.12.2021 refers to appeal case No. 39/2021 and directs the BL&LRO,

Minakhan to provide the information to the appellant within 15 days from the date of receiving the order. A communication from the BL&LRO, Minakhan dated 20.01.2022 refers to the RTI application of the petitioner of 22.03.2021 and proceed to furnish the information.

This Court finds merit in the submissions made on behalf of the respondent authorities as well as the State that the writ petitioner mentions different application numbers of different dates. It also appears from the order of 20.01.2022 of the BL&LRO, Minakhan that the application of the petitioner dated 22.03.2021 was disposed of. The details of any other appeals/second appeals pending before the Information Commission is not clear from the present writ petition.

In the absence of such information, this Court cannot pass any direction on the Information Commission to dispose of any appeal as prayed for.

WPA 10372 of 2022 is accordingly dismissed without any order as to costs.

This order shall not prevent the petitioner from filing a fresh petition with clearer facts.

(Moushumi Bhattacharya, J.)