

ML- 18.07.2022
180 Ct.15
rkd

W.P.A. 12789 of 2019

Susmita Rath

-vs-

State of West Bengal & Ors.

Mr. Kanai Lal Samanta

....for the petitioner.

Dr. Sutanu Kumar Patra,
Ms. Supriya Dubey

....for the WBCSSE.

Mr. Raja Saha,
Ms. Arpita Saha,
Mr. Sonja Mukherjee

....for the West Bengal
Information Commission.

Mr. Arindam Chattopadhyay,
Ms. Lipika Chatterjee

....for the State.

Petitioner participated in the first State Level Selection Test, 2016 for recruitment in the post of assistant teacher in Higher Secondary Section as General Category candidate in Nutrition (PG). After participating in the said selection process petitioner sought for certain information from the concerned authority of the West Bengal Central School Service Commission by making an application under Section 6 of the Right to Information Act, 2005. Since such application has not been responded to petitioner approached the

West Bengal Information Commission and the application before the Information Commission is still pending.

Petitioner wants response to such application in order to get information based on queries as contained in the said application which he has made under the Right to Information Act.

Mr. Saha, learned advocate representing the West Bengal Information Commission has submitted that at present the post of Chief Information Commissioner is lying vacant therefore the Commission is not in a position to function till such post is filled up.

Dr. Patra, learned advocate appears on behalf of the West Bengal Central School Service Commission and has disputed preferring such application under the Right to Information Act to the concerned authority of the West Bengal Central School Service Commission which is at pages 22 and 23 of the writ petition.

This Court has heard the learned advocates representing the parties and perused the relevant materials available on record. It appears that apart from the application which has been made by the

petitioner under Section 6 of the Right to Information Act, 2005 representation dated 11th June, 2019 has been made to the Assistant Secretary, West Bengal Central School Service Commission in order to get information to the queries as contained in the application which the petitioner made under Section 6 of the Right to Information Act.

Considering the present position with regard to functioning of the West Bengal Information Commission, this Court finds it apposite to direct the Assistant Secretary, West Bengal Central School Service Commission to supply information as sought for by the petitioner through his representation dated 11th June, 2019.

Petitioner is directed to submit a copy of the representation dated 11th June, 2019 to the Assistant Secretary of the West Bengal Central School Service Commission within seven days from this date. If such representation is submitted before the Assistant Secretary within the aforesaid period the Assistant Secretary in his turn shall supply information to the petitioner within eight weeks thereafter.

With the above direction the writ petition stands disposed of.

However, There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)