

A-13
Ct No.09
06.07.2023
TN

WPA No. 15059 of 2023

Chinmoy Goswami
Vs.
The State of West Bengal and others

Mr. Avinaba Patra,
Mr. Dipayan Kundu,
Ms. Shanta Sarkar,
Ms. Pramita Banerjee

.... for the petitioner

Mr. Avishek Prasad

.... for the State

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

.... for the WB Information
Commission

Learned counsel for the petitioner submits that the petitioner approached the first authority, that is, the respondent no.4 for information under the Right to Information Act but, having not being given such information, had to approach the first appellate authority. Having turned out to be unsuccessful before the first appellate authority as well, the petitioner has taken out a second appeal before the second appellate authority which is still pending. It is submitted that the petitioner be granted the information as sought before the first authority.

Heard learned counsel for the parties.

For the ends of justice, in order to obviate unnecessary pressure on the second appellate forum as well as delay insofar as the petitioner is concerned, it would suffice, for the ends of justice, if the first authority is directed to issue the information-in-question to the petitioner, subject to the petitioner being otherwise entitled to such information in law.

Hence, WPA No. 15059 of 2023 is disposed of by directing the respondent no.4, the State Public Information Officer cum Chairman, District Primary School Council to furnish the information sought by the petitioner under the Right to Information Act as expeditiously as possible, positively within three weeks from the date of communication of this order to the said respondent.

It is made clear that if the respondent no.4 is of the considered opinion that the said information cannot be furnished to the petitioner in view of some specific legal bar, the respondent no.4 shall intimate the same to the petitioner, citing the specific provision of law under which the information is barred.

Needless to say, the second appeal preferred by the petitioner is, accordingly, rendered infructuous and is deemed to stand disposed of accordingly.

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.)