

15.04.2024
(D/L 06)
Ct.-18
(Susanta)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

W.P.A. 9224 of 2024

Santanu Kumar Bera
-Vs-
The State of West Bengal & Ors.

Mr. Sabyasachi Mondal,
Ms. Puja Naskar,
Ms. Payel Khanra,
.... For the Petitioner.

Mr. Sudipta Panda,
Ms. Debleena Dasgupta,
.... For the State.

Mr. Raja Saha,
Mr. Sanjoy Mukherjee,
.... For the Respondent nos. 5 & 6.

Dr. Sutanu Kumar Patra,
Mr. Sunit Kumar Roy,
.... For the S.S.C.

Affidavit-of-service filed on behalf of the
petitioner be kept with the record.

The petitioner is an unsuccessful candidate of
the 12th Regional Level Selection Test (Assistant
Teacher), 2011. He applied under the Right to
Information Act, 2005 to get the information
regarding his result in the said selection test.

The information sought for has been supplied
to the petitioner but the petitioner to get the copy of
the answer script preferred an appeal which has
been carried to the pending Second Appeal before
the West Bengal Information Commission, the
respondent no. 5 herein.

The petitioner is complaining delay in disposal of the said Second Appeal.

Mr. Raja Saha learned advocate for the respondent no. 5 submits that the petitioner never prayed for supply of answer script before the State Public Information Officer, the respondent no. 3 herein, as such is entitled to the copy of the answer script.

The petitioner has been supplied with the information he sought for. The petitioner is not entitled to get the copy of his answer script in the said Selection Test as it would be amounting to enlarging the scope of the Second Appeal.

In view of the above, W.P.A. 9224 of 2024 is dismissed without any order as to costs.

This order however will not prevent the petitioner to resort to the provision of the said Act of 2005 to get the copy of the said answer script.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)