

07
26.11.2024
Court No.14
A.G.M.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 13495 of 2024

Prabir Kumar Mondal
Vs.
The State of West Bengal & Ors.

Mr. Tapas Maity

...for the Petitioner.

Mr. Biswabrata Basu Mallick
Mr. Tanoy Chakraborty

...for the State.

1. The petitioner seeks information as regards the genuinity of a disability certificate issued in favour of one Santosh Kumar Mondal in the year 2008. The disability mentioned in the certificate is - low vision.
2. Relying on the said certificate, the aforesaid Santosh Kumar Mondal obtained a job in a school and is currently in service. The petitioner alleges that the certificate relied upon by Santosh Kumar Mondal may not be genuine.
3. Application was filed under the Right to Information Act and the petitioner has been intimated that the authority does not have the records.
4. Learned advocate representing the State respondents submits that despite diligent effort the records pertaining to the certificate cannot be traced.
5. Upon hearing the submission made on behalf of both the parties and on perusal of the materials on record, it appears that the petitioner is seeking information with regard to a disability certificate issued in favour of one Santosh Kumar Mondal in the

year 2008. The authority has expressed inability to provide the information as sought for.

6. The petitioner made application for obtaining information in the year 2023. The person concerned is in service since 2008 onwards. Any order passed herein may prejudice the said Santosh Kumar Mondal.
7. Had the petitioner been genuinely aggrieved by the issuance of disability certificate in favour of Sri Santosh Kumar Mondal, he ought to have approached the Court at an earlier point of time. At such a delayed date, the relief sought for by the petitioner cannot be allowed.
8. The writ petition fails and is hereby dismissed.
9. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)