

3rd May,
2024
(AK)
09

W.P.C.R.C 37 of 2024
In
WPA 14753 of 2023

Avijit Gope
Vs.
Debangshu Bag

Mr. Avijit Gope

... petitioner in
person.

Mr. Santanu Moitra

...for the State.

Ms. Shraboni Sarkar

...for the alleged contemnor.

1. The petitioner appearing in person submits that the alleged contemnor, in violation of the order dated July 14, 2023 passed in WPA 14753 of 2023, although has given a reply, but did not furnish any information to the petitioner.
2. It is submitted that the petitioner is entitled to such information.
3. A perusal of the order dated July 14, 2023 reveals that the direction passed on the respondents/First Authority was to give a response to the query by the petitioner under the Right to Information Act, 2005.
4. Since such reply has been given, it is now open to the petitioner to prefer a First Appeal under the said Act since the petitioner is apparently aggrieved by the reply.

5. In fact, in the order dated July 14, 2023 itself, such liberty was given to the petitioner.
6. However, no contempt lies in view of a reply having been given by the alleged contemnor.
7. Accordingly, WPCRC 37 of 2024 is discharged by giving liberty to the petitioner to prefer an appeal against the reply given by the alleged contemnor before the appropriate forum, if the said appeal is otherwise maintainable in law.
8. Needless to say, since personal appearance has already been dispensed with, such dispensation is hereby made absolute.
9. The contempt application is disposed of in terms of the above order.

(Sabyasachi Bhattacharyya, J.)