

25th January,
2024
(AK)
16

W.P.A 28999 of 2023

Mannan Khan
Vs.
State of West Bengal and others

Mr. Samim Ahammed
Ms. Anjana Meheub
Ms. Saloni Bhattacharya
Ms. Gulsanwara Parvin
...for the petitioner.

Mr. Amal Kr. Sen
Mr. Lal Mohan Basu
...for the State.

Mr. Raja Saha
Mr. Sanjay Mukherjee
...for the respondent no.3.

Mr. Sujoy Sarkar
Mr. Rahul Chachar
...for the respondent no.7.

1. Affidavit-of-service filed in court today be kept on record.
2. The petitioner applied for certain information and deposited the requisite amount as per the law.
3. The challans regarding such deposit have been annexed at pages-24 and 25 of the present writ petition.
4. However, since the deposit did not go to the concerned Gram Panchayat, the information sought by the petitioner could not be supplied to the petitioner.

5. Accordingly, the petitioner went up in first appeal and thereafter second appeal under the Right to Information Act, 2005.
6. Learned counsel for the State, in his usual fairness, points out to page-28 of the writ petition which is the copy of a communication dated November 7, 2023 by the SPIO to the Block Development Officer, Rampurhat-II Development Block, Margram, Birbhum whereby the latter has been requested to look into the matter and take necessary action for supplying the information as per the RTI Act directly to the applicant.
7. Since the petitioner has sufficiently produced documents to satisfy the court that he has deposited the requisite amount for getting the information, mere procedural delay need not be a consideration for withholding the information from the petitioner, if the petitioner is otherwise entitled to get it.
8. Accordingly, WPA 28999 of 2023 is disposed of by directing the respondent nos.5 and 7 to act upon the communication dated November 7, 2023 by the SPIO annexed at page-28 of the writ petition and to furnish the requisite information to which the petitioner is entitled in law, in terms of the petitioner's application, to the petitioner within four

weeks from the date of communication of this order to the said respondents.

9. In terms of the above order, the second appeal preferred by the petitioner is deemed to stand disposed of as infructuous since the relief sought therein has been granted in the present writ petition.
10. There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)