

WPA 434 of 2025

Sudip Sarkar
Vs.
The State of West Bengal & Ors.

Mr. Firdous Samim
Ms. Gopa Biswas
Ms. Ankita Ghosh
Ms. Salini Bhattacharjee
Mr. Rajosik Dutta
Md. Imzamamul Islam
.... for the petitioner

Mr. Sirsanya Bandopadhyay, Sr. S. C.
Ms. Tapati Samanta
.... for the State

1. The petitioner is aggrieved at not being chosen to the post of librarian. The petitioner, to address such grievance, had applied under Section 6 of the Right to Information Act, 2005 (hereinafter referred to as the “said Act”) seeking two-fold information/documents from the concerned State Public Information Officer (hereinafter referred to as the “SPIO”).
2. First, he sought for his answer-sheet to ascertain the marking system followed in his evaluation.
3. Second, he had also sought for answer scripts of two contesting candidates.
4. These requests of the petitioner were followed up by the subsequent requests as to whether he was entitled to get the information regarding his

academic score and also whether the petitioner was entitled to get the answer key of the written examination.

5. All such queries of the petitioner were rejected by the concerned SPIO on September 4, 2024, declaring that the petitioner “was not entitled” to get any copy of the answer scripts and was merely entitled to see the same.
6. Hence this writ petition.
7. Mr. Samim, learned Advocate appearing for the petitioner, submits that the respondents are deliberately shying away from providing the information, as sought for, as, according to him, the respondents are trying to cloak imminently dishonest and corrupt acts and practices indulged by them.
8. Mr. Bandopadhyay, learned senior Standing Counsel, appearing for the State authority, was initially willing to give a concession and had agreed to give the copy of the OMR sheet, inspection whereof has already been given, to the petitioner provided that the petitioner restricted his claim to his answer-sheet only.
9. He also submits that the petitioner is not entitled in law to pursue parallel remedies for connected reliefs before the High Court and the Appellate Authority.

10. He further submits that the submissions of the petitioner are beyond the scope of the writ petition and beyond the pleadings made in the writ petition.
11. It is a fact that the petitioner has an Appellate Forum to ventilate his grievance and challenge the rejection of his queries by the concerned SPIO, on September 4, 2024. This being a statutory remedy, I am not inclined to entertain the present writ petition.
12. However, the petitioner's apprehension that the very entitlement of the petitioner has been completely eroded by the respondents on September 4, 2024, will be open for consideration before the Appellate Authority, before whom the petitioner will file an appropriate appeal.
13. With these aforestated directions, the writ petition is disposed of.
14. There shall, however, be no order as to costs.
15. Since no affidavit has been called for, the allegations contained in the writ petition are deemed to be denied.
16. Urgent photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Reetobroto Kumar Mitra, J.)