

03.09.2025
Item No.28 (DL)
Court No.551
AJ.

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

W.P.A. 2048 of 2025

**Aminuddin Khan
-Vs-
Union of India & Ors.**

Mr. Samim Ahammed,
Mr. Anuriddha Singh,
Ms. Gulsanwara Pervin,
Ms. Saloni Bhattacharjee,
Md. Nasirul Haque.
.....for the petitioner.

Mr. Rajdeep Majumder, Ld. DSGI,
Mr. Rivu Dutta,
Mr. Debashis Basak.
.....for the respondent nos. 1 & 5.

The petitioner is aggrieved by non-consideration of the petitioner's Second Appeal under Section 19(3) of the Right to Information Act, 2005 filed before the Central Information Commission on October 11, 2024.

It is submitted by the learned Advocate for the petitioner that upon the petitioner's application under the Right to Information Act, 2005 being rejected by the Central Public Information Officer, the petitioner preferred First Appeal in terms of Section 19(1) of the said Act of 2005 before the relevant Appellate Authority. It is contended that the petitioner's appeal also met with the same fate as that of his application and the information sought for was not provided to the petitioner.

Feeling aggrieved, the petitioner has approached the Central Information Commission by way of a Second Appeal under Section 19(3) of the Right to Information Act, 2005 on October 11, 2024 and the said appeal has not yet been disposed of.

The Union of India and the Central Information Commission are represented.

Heard the learned Counsel for the appearing parties and perused the material on record since the petitioner has already preferred a Second Appeal before the Central Information Commission, the same must be disposed of in accordance with law. This writ petition is therefore disposed of by directing the respondent no.5 i.e. the Central Information Commission to dispose of the 2nd Appeal filed by the petitioner before it under Section 19(3) of the Right to Information Act, 2005 within a period of six week from the date of communication of this order strictly in accordance with law. It is clarified that this Court has not gone into the merits of the matter and the Central Information Commission shall be free to take any decision in accordance with law.

WPA 2048 of 2025 is, thus, disposed of.

There shall be no order as to costs.

(Om Narayan Rai, J.)