

S/L 18
29.08.2025
Court. No. 19
Suwayan

WPA 19029 of 2024

**Mahidul Mandal
Vs.
Union of India & Ors.**

*Mr. Manojit Bhattacharya
Mr. S. Bhattacharya*

...for the petitioner.

*Mr. Soumitra Bandopadhyay
Mr. Ram Chandra Guchhait*

...for the State.

*Ms. Manika Roy
Ms. Ankita Chowdhury
Mr. Atanu Sur*

...for N.H.A.I.

1. The receipted copy of the notice dated 01.08.2025 as filed on behalf of the writ petitioner is taken on record.
2. The writ petitioner, the respondents/State and its instrumentalities and N.H.A.I./authorities and its instrumentalities are represented by their respective Counsels.
3. By filing the instant writ petition the writ petitioner has prayed for issuance of appropriate writ/writs against the respondent nos. 2, 3 and 4 commanding them not to acquire the land of the writ petitioner's mother which according to the writ petitioner has been requisitioned by N.H.A.I./authorities in respect of R.S. Dag no. 2452, L.R. Dag no. 4170, Khatian no. 1916 of Mouza – 33, Dhubulia, P.S. Dhubulia, District – Nadia.
4. At the time of hearing, Mr. Bhattacharya, learned Advocate appearing on behalf of the writ petitioner draws attention of this Court to the copies of the

several communications as have been annexed at page no. 26 to 32 of the instant writ petition as made with the respondent no. 2/authority.

5. It is submitted on behalf of the writ petitioner that despite submission of several representations in the form of said letters the writ petitioner's grievance was not addressed by the respondent no. 2/authority.
6. It is thus submitted that appropriate relief/reliefs may be granted to the writ petitioner in terms of the prayers as made in the instant writ petition.
7. Per contra, Ms. Roy, learned Advocate appearing on behalf of the N.H.A.I/authorities and Mr. Guchhait, learned Advocate appearing on behalf of the respondents/State and its instrumentalities also draws attention of this Court to the copies of the letters as have been annexed with the instant writ petition at page nos. 26 to 32. It is submitted by Ms. Roy and Mr. Guchhait that from the contents of the said letters it would reveal that the said letters were not representations as wrongly pleaded and on the contrary under cover of the aforementioned letters some information have been sought for under Section 6(1) of the Right to Information Act.
8. It is further submitted Ms. Roy and Mr. Guchhait that in the event it is the grievance of the writ petitioner that the information as have been sought for have not been provided by the authority/authorities the only remedy lies to the writ petitioner by preferring an

appeal under the R.T.I. Act before the appropriate authority.

9. On careful perusal of the copies of the letters dated 30.01.2024 and 31.02.2024 as have been annexed at page nos. 28 and 31 this Court finds that under cover of the said two letters the writ petitioner has sought for some informations, particulars of which have been mentioned in the said letters.
10. As rightly pointed out by Ms. Roy and Mr. Guchhait that the writ petitioner has chosen a wrong forum for ventilating his grievance for the alleged non-supply of the informations to the writ petitioner. On perusal of the letter dated 30.01.2024 as has been annexed at page nos. 28 and 29 it again appears to this Court that under cover of the said letter the writ petitioner has sought for some informations under the R.T.I. Act and in the last but one paragraph of the said letter he stated the following:

“I am attaching the R.T.I. application fees of Rs. 10/- as 10 Rs. Court Fee.”
11. In view of such, this Court is in agreement with the submission of Ms. Roy and Mr. Guchhait that the writ petitioner has chosen a wrong forum for ventilating his grievance since for non-furnishing the informations as sought for, no writ lies before this Court.
12. With the aforementioned observation, the instant writ petition being WPA 19029 of 2024 is hereby dismissed.
13. However, there shall be no order as to costs.

14. Urgent Xerox certified copy of this order, if applied for,
be given to the parties upon compliance of all
necessary formalities.

(Partha Sarathi Sen, J.)