

05.05.2025
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Ct.No.7
sdas

WPA 22297 of 2022

Sri Pravash Mukhopadhyay
Vs.
The State of West Bengal & Ors.

Mr. Priyabrata Batabyal
.....for the petitioner

Mr. Ansar Mondal, Id. AGP
Mr. Sougata Mitra
Mr. Asish Dutta
..... for the State

Affidavit-of-service filed on behalf of the petitioner in Court is taken on record.

Citing inaction on the part of the State respondent in considering the appeal filed by the petitioner under Section 19(1) of the Right to Information Act, 2005 (hereinafter referred to as 'the Act of 2005'), the present writ petition has been filed.

Mr. Batabyal, learned advocate representing the petitioner, submits that in order to ascertain whether the same C.S. plot number was assigned during the R.S. operation to the plot in question in the R.S. Record of Rights, the petitioner submitted an application under Section 6 of the Right to Information Act, 2005, before the competent authority. In response, certain information was provided to the petitioner through a communication vide Memorandum No. 10/RR dated

7th March, 2018. Dissatisfied with the information provided, the petitioner preferred an appeal under Section 19(1) of the Act, 2005. However, despite the receipt of the appeal, it was neither registered nor disposed of by the competent authority through a reasoned order. This inaction has compelled the petitioner to file the present writ petition.

Mr. Mondal, learned Additional Government Pleader, submits that an appropriate direction may be issued to the appellate authority to dispose of the appeal in accordance with the law.

Having heard the learned advocates for the respective parties and upon perusal of the materials on record, this writ petition is disposed of with a direction to Respondent No. 3 to dispose of the appeal filed by the petitioner under Section 19 of the Right to Information Act, 2005, on 12th April, 2018, in accordance with law, after affording the petitioner an opportunity of hearing.

The appeal shall be disposed of within a period of eight weeks from the date of receipt of a copy of this order.

It is made clear that this Court has not entered into the merits of the petitioner's claim. All issues are left open to be decided by the Appellate Authority in accordance with law

The present writ petition is, thus, disposed of.

There shall be no order as to costs.

(Partha Sarathi Chatterjee, J.)