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07.04.2025
Ct. No. 551
RPan/Jayanta

WPA 28486 of 2024

Susmita Saha
vs.
The State of West Bengal & Ors.

Ms. Kaberi Ghosh
.....For the petitioner
Mr. Ratul Biswas
Mr. Kaushik Chowdhury
.....For the WBBPE.
Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee
.....For the State.

Affidavit-of-service filed today be kept on record.

The petitioner complains of inaction on the part of the Respondents in furnishing information sought for by the petitioner through her application dated March 14, 2024 under Section 6 of the Right to Information Act, 2005 (hereafter the said Act of 2005).

Being aggrieved by the non-supply of information sought for through the said application dated March 14, 2024, the petitioner has filed an appeal under Section 19 of the said Act, 2005 of August 7, 2024 but the same has been lodged before “The State Public Information Officer” which unfortunately is not the Appellate Authority. Such appeal has therefore not yielded any result. The petitioner is thus before this Court.

Having heard the learned Advocates for the respective parties and having considered the material on record this Court is of the view that justice would be subserved if this writ petition is disposed of by granting liberty to the petitioner to prefer an appeal in term of Section 19 of the said Act of 2005, before the prescribed Appellate Authority upon payment of appropriate fees within two weeks from date. If such appeal is filed before the Appellate Authority within two weeks as aforesaid, the Appellate Authority shall condone the delay of the period during which the writ petition remained pending before this Court and consider the petitioner's appeal on its own merits.

WPA 28486 of 2024 is thus disposed of.

There shall be no order as to costs.

(Om Narayan Rai ,J.)