

December 12, 2025

13) ARDR

WPA 30910 of 2024

Avijit Gope

Vs.

The State of West Bengal & ors.

Mr. Avijit Gope,

... petitioner in person.

Sr. Adv. Kishore Datta, Ld. A.G.,

Adv. Swapan Banerjee,

Adv. Sumita Shaw,

Adv. Diptendu Narayan Banerjee,

Adv. Soumen Chatterjee,

...for the State.

Heard the petitioner in person and the learned counsel for the State.

The petitioner submits that he sought certain information from the State Public Information Officer under the Right to Information Act and such information not being furnished to him, he preferred an appeal under the statute. Since he was not granted any relief in the appeal, second appeal was preferred by him before this Court. By an order dated 13th July, 2023 in WPA 14742 of 2023 a coordinate Bench of this Court directed the respondents therein to furnish the information in terms of the query of the petitioner at the earliest, positively within one week from date. The said order was carried in appeal before an Hon'ble Division Bench of this Court and by a judgment delivered on 29th July, 2025, the Hon'ble Division Bench set aside the order passed by the learned single Judge. In the meantime, learned single Judge directed issuance of rule of contempt against the alleged contemnor therein. In the said backdrop, the petitioner also lodged a complaint

before the police authority seeking registration of FIR against the accused/alleged contemnor. The petitioner alleges that the complaint has not been acted upon till date.

Learned counsel for the State submits that in view of the order of the learned single Judge being set aside, the complaint has no merits.

Be that as it may, since the complaint lodged by the petitioner has not been acted upon by the police authority till date, the petitioner is at liberty to approach the jurisdictional Magistrate under Section 175 of the BNSS for redressal of his grievance {Aleque Padamsee & ors. vs. Union of India reported in (2007) 6 SCC 171}.

The writ petition is accordingly disposed of.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)