

15.05.2026
Sl. No.46
Ct. No.14
gd

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

**WPA/20182/2025
Sanjay Kumar Nigam
versus
State of West Bengal & Ors**

Mr. Sanjib Kr Mukhopadhyay
Mr. Pradeep Kumar Singh
Ms. Alka Chharia
Ms. Nargish Parveen
Ms. P. Roy

...for the Petitioner.

Mr. Ratul Biswas
Mr. Kaushik Chowdhury

...for WBBPE.

1. Affidavit of service filed by the petitioner is taken on record.
2. By the present writ petition the petitioner seeks direction upon the First Appellate Authority under the Right to Information Act, 2005 (*in short 'RTI'*) to dispose of the appeal (Annexure P-12) within a stipulated period.
3. The petitioner contends that he appeared in the selection process for recruitment of Assistant Teachers (Primary) conducted by Kolkata Primary School Council in the year 2009. The testimonials of the petitioner were verified. Despite persuasions on numerous occasions the Council did not provide definite answer as to whether the petitioner has succeeded in the examination for recruitment. After a considerable period when no answer was provided to

the petitioner, he submitted an application under section 6 of the RTI Act, on 11th May, 2023, requesting the authority concerned to provide the results of the examination. On 6th December, 2023, State Public Information Officer & A.I.S, Academic, Kolkata Primary School Council informed the petitioner that his total marks is 31.32. The petitioner submitted another application under section 6 of the RTI Act on 24 January, 2024 seeking for further information. Such sought for information was not provided. The petitioner filed an Appeal under Section 19(1) of the RTI Act. The First Appeal was forwarded to respondent no.9 on 19th September, 2024. However, the same has not been disposed of as yet. Hence this writ petition.

4. Mr. Sanjib Kr Mukhopadhyay, learned advocate appearing for the petitioner submits that the appeal of the writ petitioner has not been disposed of by the First Appellate Authority under the RTI Act. He seeks for appropriate orders for disposal of such appeal within a stipulated period.
5. Mr Ratul Biswas, learned advocate for the Board submits that the grievance of the petitioner relates to an appeal under the RTI Act and therefore he has to take steps as per provisions of the said Act.
6. Upon going through contention in the writ, it is found that the petitioner is aggrieved by action of the First Appellate under the RTI Act in keeping the appeal pending. The petitioner since has filed an appeal

under Section 19 of the RTI, the petitioner is to seek redressal under the said Act. Hence, no relief can be granted to the petitioner in the present writ petition.

7. Accordingly, the writ petition being **WPA 20182 of 2025** stands dismissed.
8. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
9. Interim order, if any, stands vacated.
10. All connected applications, if any, stand disposed of.
11. There shall be no order as to costs.
12. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
13. Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)