WBCHCA0268222026

Item No.2
Ct. No.1
RP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA(P) 298 OF 2026

BIPLAB KUMAR CHOWDHURY]..PETITIONER
VS.
THE STATE OF WEST BENGAL & ORS.]..RESPONDENTS

Appearance:

Mr. Sayan Chattopadhyay]..Advocate for the Petitioner

Mr. Billwadal Bhattacharyya, Ld. AAG
Mr. D.N. Ray, Ld. GP
Mr. Ajit Kumar Mishra, Ld. AGP
Mr. Loknath Chatterjee
Mr. Guddu Singh]..Advocates for State

Mr. Sudarsan Roy
Mr. Diptarka Majumder].. Advocates for North Dum Dum Municipality

CORAM: RAVINDRA VITHALRAO GHUGE,
CHIEF JUSTICE
&
OM NARAYAN RAI, J.
Date: 15.10.2026

Order (Per Court)

1. Since the Learned Advocate representing the North Dum Dum Municipality had appeared suo moto in this matter on 13.10.2026 and is before us today, making a serious grievance about the present Petitioner, we direct the Petitioner to add North Dum Dum Municipality as Respondent No.12. Addition be carried out forthwith. Re-verification is dispensed with. Mr. Sudarsan Roy, Learned Advocate causes an appearance on behalf of added Respondent.

2. On 13.10.2026, we had passed the following order:-

'1. It appears that the Petitioner before us is an RTI activist, who is said to have filed around 1000 RTI Applications against North Dum Dum Municipality. The record also reveals that the Petitioner has filed more than 200 Petitions in this Court.

2. The learned Advocate for the Petitioner submits on instructions that the Petitioner was able to recollect around 116 Petitions, inclusive of 43 PILs. He fairly submits that cost of Rs. 25,000/- and Rs. 50,000/- were imposed on the Petitioner by the High Court and he has deposited Rs. 25,000/- costs, whereas the remaining Rs. 50,000/- is yet to be deposited since he has preferred a Review Petition.

3. We are granting time to the Petitioner to deposit Rs. 50,000/- till 15.10.2026.

4. List this Petition on ***15.10.2026*** *in the* ***Urgent Supplementary Board at Serial No.1.***

5. If the learned Advocate for the Petitioner remains absent, we would be constrained to pass orders.'

3. Today, the Learned Advocate for the Petitioner has tendered a demand draft dated 13.10.2026, drawn in favour of the West Bengal State Legal Services Authority, for an amount of Rs.50,000/- drawn on Punjab National Bank. This demand draft is tendered in compliance with the order of this Court dated 31.10.2022 passed in WPA(P) 211 of 2022. The original demand draft is received. The Registry is directed to hand it over to the West Bengal State Legal Services Authority.

4. The Learned Advocate for the North Dum Dum Municipality has tendered a compilation of documents along with a short report dated 14.10.2026, under the signature of the Executive Officer, North Dum Dum Municipality (84 pages). The same is collectively marked as **'X-4'** for identification.

5. The documents placed before the Court as '**X-4**', indicate that within a period of nine years, this Petitioner has filed 316 RTI applications. 1000 plus queries are raised in these applications. The Municipality refers to the Order dated 22.09.2022, passed by this Court in WPA No.3116 of 2022 filed by the present Petitioner wherein this Court has noted that the present Petitioner has filed 195 cases. 43 are in the nature of PILs. The Petitioner has suffered two adverse orders vide which this Court has imposed costs of Rs.25,000/- and Rs.50,000/-. Both these costs have been deposited in this Court.

6. The Learned Advocate for the North Dum Dum Municipality points out from the Order dated 17.08.2023, passed by the State Chief Information Commissioner, West Bengal and the State Information Commissioner (Division Bench), in RTI Application No.645 of 2019 which indicates that the Commission has disposed off 549 cases filed by the present Petitioner Shri Biplab Kumar Chowdhury.

7. The Learned Counsel for the North Dum Dum Municipality submits that in the State of Maharashtra there is Maharashtra Vexatious Litigation (Prevention) Act, 1970. He submits that in the State of West Bengal, there is no such Act.

8. The Learned Advocate for the North Dum Dum Municipality submits that the present Petitioner has misused the provisions of the Right to Information Act and he should be restricted/prevented from filing any further RTI applications. Recently, in seven days he has filed 10 RTI Applications raising a large number of queries.

9. In view of the above, the Learned Additional Advocate General has vehemently submitted that this is a fit case wherein the Petitioner should be restricted from filing any further PIL Petition.

10. Insofar as restricting the Petitioner from filing RTI Applications are concerned, this Court would not, at this stage, make any observation. The North Dum Dum Municipality can avail of a remedy, including filing of proceedings before an appropriate forum or Court, for seeking appropriate orders. We leave it open to the North Dum Dum Municipality to initiate steps as may be advised, even by invoking the Writ Jurisdiction of this Court.

11. The Learned Advocate for the Petitioner submits on instructions that the Petitioner desires to withdraw this Petition and prays that cost may not be imposed.

12. The Learned Advocate for the Petitioner has ensured that the orders imposing cost by this Court has been complied with, without prejudice to the pending Review Petition filed by the Petitioner which he desires to prosecute independently.

13. However, we find it appropriate to record in this order that it is high time that the State of West Bengal introduces the Vexatious Litigation (Prevention) Act, akin to such Act being implemented in the States of Maharashtra, Rajasthan and Tamil Nadu. We, therefore, deem it appropriate to call upon Mr. Mishra, Learned Additional Government Pleader of the State of West Bengal to initiate appropriate steps in consultation with the learned Advocate General of the State, without any delay, to impress upon the State Government, the need/necessity of the introduction of the Vexatious Litigation (Prevention) Act. We would appreciate if the Learned Advocate General initiates urgent steps in this regard.

14. **This Petition is dismissed as withdrawn on instructions**, without cost.

15. We further direct the Registry of this Court that in the event the present Petitioner Shri Biplab Kumar Chowdhury files any Petition in this

Court, having semblance of or in the nature of a PIL, the said Petition would not be registered as a PIL unless it is placed before the appropriate Bench for consideration as to whether the Petition deserves to be treated as PIL.

(OM NARAYAN RAI, J.) **(RAVINDRA V. GHUGE)**
Chief Justice