Form No.J(2)

In The High Court at Calcutta

CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

Present :
THE HON'BLE JUSTICE RISHAD MEDORA

WPA/24835/2025
SUKANTA KUMAR CHATTERJEE
VS
STATE OF WEST BENGAL AND ORS.

For the petitioner	:	Mr. Abhroshankar Mukherjee, Adv.
For the State of West Bengal	:	Mr. Madhu Jana, Jr. Govt. Adv. Ms. Ipsita Ghosh, Adv.
For the respondent no.3	:	Mr. Raja Saha, Adv. Mr. Sanjay Mukherjee, Adv.
Heard on	:	14.10.2026.
Judgment on	:	14.10.2026.

RISHAD MEDORA, J:

1. The petitioner has filed the present writ petition praying for, inter alia, issuance of a writ of mandamus directing the respondent Authorities, and in particular, the

respondent no.6, being the State Public Information Officer, Officer of the BL & LRO Chanchal – I Development Block to forthwith provide the petitioner a certified copy of the information sought *vide* his application letter dated September 10, 2024, being Annexure P-1 of the writ petition.

2. From a perusal of the aforesaid letter dated September 10, 2024, it will be evident that the petitioner sought, in terms of the provisions of the Right to Information Act, 2005 ("RTI Act"), certified copies of case records in respect of Case No.7AA/138/2012 before the Revenue Officer, Chanchal-I, Block Land & Land Reforms Office, Malda, including an order dated March 4, 2013 passed by the aforesaid officer in the aforesaid case.

3. Thereafter, by a letter dated October 1, 2024, the Block Land & Land Reforms Officer (BL&LRO), Chanchal-I, Malda, informed the petitioner that the information, which had been sought by him, was not available at that moment and if the same were to be found, he would be notified of the same in accordance with law. The petitioner was further informed that searching process

was still going on in respect of his aforesaid application under the provisions of the RTI Act.

4. Being aggrieved by the non-receipt of the information / documents sought by the petitioner, the petitioner filed an appeal under Section 19(1) of the RTI Act, 2005. However, the authority, before whom such appeal was filed, was not the proper/correct Appellate Authority and consequently, the petitioner filed a fresh appeal before another officer / authority. Such authority was also not the proper/correct Appellate Authority and consequently, the petitioner subsequently filed a fresh appeal before another officer/authority on January 24, 2025. This time, the said first appeal was filed before the proper/correct authority. By a notice dated February 5, 2025, the petitioner was directed to appear before such Authority, being the Appellate Authority, for a hearing on February 12, 2025. He was also informed that if he would fail to appear or be represented on the aforesaid date, his appeal would be disposed of ex-parte.

5. Learned Advocate representing the petitioner submits that due to some personal difficulty, the petitioner could not appear or be represented before the said Appellate

Authority on the prescribed date i.e. February 12, 2025. By a letter dated February 14, 2025, the petitioner requested the aforesaid First Appellate Authority to provide him with a certified copy of the order sheet in connection with his first appeal. It is submitted that, till date, he has not received any response to his aforesaid letter dated February 12, 2025 nor has he received a certified copy of the order sheet in connection with his first appeal.

6. In such circumstances, the petitioner, under compulsion, filed a Second Appeal dated April 9, 2025 under the provisions of the RTI Act and reinstated his request for being supplied with the documents he had sought in his first application under the RTI Act. Learned Advocate representing the petitioner concludes his submissions by submitting that till date, the petitioner has not yet received the information sought by him *vide* his application dated September 10, 2024. He submits that the petitioner is still in the dark in respect of the status of his aforesaid second appeal. He further submits that the relevant website of the concerned respondent authority shows the status of his aforesaid second appeal to be

"Waiting for Scrutiny". He, accordingly, prays for orders in terms of the prayers contained in the writ petition.

7. Learned Advocate representing the State has handed over a bunch of documents pertaining to the instant case. The same is taken on record. A copy of the same has been handed over to learned Advocate representing the petitioner.

8. Learned Advocate representing the Respondent No. 3 has handed over an order dated January 19, 2026 passed by the State Chief Information Commissioner, West Bengal in the aforesaid second appeal filed by the petitioner, being Appeal No. 100537 of 2025 under the RTI Act.

9. In the aforesaid order dated January 19, 2026, it has been specifically recorded that only a copy of the order-sheet in respect of the aforesaid case No.7AA/138/2012 was handed over to the petitioner. It is further recorded that earlier, the said case records could not be traced, but subsequently they were found. However, the entire case records were not handed over to the petitioner in view of the same being exempted under Section 8(1)(e) of the RTI Act.

10. Learned Advocate representing the respondents jointly submit that in view of the foregoing, the writ petition should be dismissed.

11. I have heard the submissions made by the learned Advocate for the petitioner as well as the learned Advocates representing the respondents. I have also considered the materials on record. It is an admitted case, as will be reflected from the First Appeal filed by the petitioner on January 24, 2025, that on January 2, 2025, the SPIO, BL&LRO, Chanchal-I, Malda, sent him a certified copy of the vesting order dated March 4, 2013 in connection with the case No.7AA/138/2012 by Speed Post. Thus, it is evident that in so far as the order-sheet in the aforesaid case No.7AA/138/2012 is concerned, the petitioner's grievance stands resolved.

12. So far as the case records pertaining to the aforesaid case are concerned, the Second Appellate Authority has already decided this issue. The order dated January 19, 2026 is not under challenge before this Court in this writ petition. If the petitioner is aggrieved by the same, he will be at liberty to assail the same, in accordance with law.

13. The petitioner has been unable to establish any lacuna in the decision-making process followed by the concerned respondents. Hence, this Court finds that there is no scope for interfering with the decisions taken by the concerned respondents in the facts and circumstances of this case.

14. At this point of time, learned Advocate representing the petitioner submits that the petitioner seems to have misplaced the copy of the vesting order dated March 4, 2013.

15. In such view of the matter, I direct the respondent no.6 to once again provide a copy of the aforesaid order dated March 4, 2013 to the petitioner within a period of six weeks from the date of communication of this order to the respondent no. 6 by the petitioner. No further order is required to be passed in this writ petition.

16. Since no affidavit-in-opposition has been called for, the allegations made in the writ petition are deemed not to have been admitted by the respondents.

17. Accordingly, this writ petition stands disposed of. There will be no order as to costs.

18. All concerned parties shall act on the server copy of this order duly downloaded from the official website of this Court.

19. Urgent photostat certified copy of this order, if applied for, be made available to the parties, upon compliance with all requisite formalities.

(RISHAD MEDORA, J.)

Tanmoy Ghosh
Assistant Registrar (Court)