

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman.
& The Hon'ble Sayeed Ahmed Baba, Administrative Member.

Case No. –OA-944 of 2021.

Shri Sayak Chatterjee & Ors. – Versus – The State of West Bengal and Others.

Serial No. and Date of order	For the Applicants	:	Mr. S. Bhattacharyya, Advocate.
<u>03</u> 25.04.2022.	For the State Respondents	:	Mr. S. K. Mandal, Advocate.
	For the Public Service Commission, West Bengal.	:	Mr. A. L. Basu, Mr. S. Bhattacharjee, Advocates.

In this application, the applicants have prayed for several reliefs, the relevant portion of which is as under :-

“(a) A mandatory direction do issue upon the concerned respondent authorities to consider the matter of the instant applicants and provide them with the information they have sought.”

Heard Mr. S. Bhattacharyya, learned advocate for the applicants.

It appears that the applicant had filed an application under the Right To Information Act, 2005 seeking certain information. They have alleged that the Commission is not providing the answers and are sitting tight over the matter. Hence the application.

Mr. A. L. Basu, learned advocate for the Public Service Commission, West Bengal submits that the application is not maintainable as the Tribunal has no jurisdiction to entertain such application under the 2005 Act.

ORDER SHEET

Form No.

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Mr. S. K. Mandal, learned advocate for the State respondents supports the stand of Mr. Basu.

As the applicants have filed an application seeking certain information under the 2005 Act and as alleged, they have not received any decision, since under section 19 of the 2005 Act there is a provision for appeal, which can be availed of by any person who does not receive a decision, and as Tribunal is not the appellate authority, no order can be passed on this application. The application is dismissed.

(SAYEED AHMED BABA)
MEMBER (A)

(SOUMITRA PAL)
CHAIRMAN

S.M.