
(2020) 04 CAL CK 0040

In the Calcutta High Court

Case No : Writ Petitions (WP) No. 5366 (W) Of 2020

Eshan Madhav Saha

APPELLANT

Vs

State Of West Bengal And Others

RESPONDENT

Date of Decision : 23-04-2020

Acts Referred:

Citation : (2020) 04 CAL CK 0040

Hon'ble Judges : Moushumi Bhattacharya, J

Bench : Single Bench

Advocate : Rahul Tanvani, Kishore Dutta, Indranil Roy

Judgement

Moushumi Bhattacharya, J

The petitioner is a practicing advocate enrolled with the Bar Council of West Bengal and claims to be interested in certain matters pertaining to the administration of the state machinery in dealing with the COVID-19 scenario.

The petitioner seeks several reliefs including a direction on the respondents to publish certain information as to the actions and measures deployed for dealing with the health crisis, which is presently being confronted by the State.

Counsel appearing for the petitioner submits that although several departments of the State have been served with the writ petition neither the Advocate General nor the Government Pleader have been served with the copy of the writ petition. Counsel proposes to serve the concerned officers within returnable date.

Learned Advocate General appearing for the State-respondents submits that the writ petition may not be maintainable in view of the fact that the petitioner has a recourse under The Right to Information Act, 2005 and that the information which the petitioner seeks may already be in the public domain.

It is also submitted that a proceeding with similar relief is presently pending before the Hon'ble the Chief Justice of this Court which is due to be taken up on 28th April, 2020.

The respondent no. 9, Medical Council of India is also represented today.

In view of the significant relief which has been sought for in the writ petition including a direction upon the State-respondents to publish certain information, list this matter on 30th April, 2020.

The petitioner is directed to serve the appropriate State-respondents in the meantime.