

HIGH COURT OF MEGHALAYA

W.P. (C) No. 250 of 2014

Shri. Samarjeet Kumar,
S/o Shri. Chandeshwar Singh,
R/O ARPS Laitkor, Outline Labour Camp,
Shillong, East Khasi Hills District,
Meghalaya

..... Petitioner

Versus

1. Union of India,
Represented by the Secretary,
to the Government of India,
Ministry of Defense New Delhi
2. Director General of Assam Rifles
Mahanideshalaya Assam Rifles
Directorate General Assam Rifles,
Shillong.
3. Additional D.G. Assam Rifles
Mahanideshalaya Assam Rifles
Directorate General Assam Rifles,
Shillong
4. Shri. Manish Mishra,
Presiding Officer,
Recruitment Rally,
Dimapur.
5. The Public Information Officer,
Mahanideshalaya Assam Rifles
Directorate General Assam Rifles,
Shillong
6. Shri. Sunil Rawat
The Appellate Authority
Assam Rifle, Shillong,
East Khasi Hills, District
Meghalaya

..... Respondents

**BEFORE
HON'BLE MR JUSTICE S.R. SEN**

Advocate for the Petitioner	:	Shri. K. Paul
Advocate for the Respondents	:	Shri. R. Debnath
Date of Hearing	:	13.02.2015
Date of Judgment & Order	:	13.02.2015

JUDGMENT & ORDER

The brief facts of the case in nutshell is that, “this is an application under article 226 of the Constitution of India for issuance of writ of mandamus and or any other writ/ order/ direction of like nature against the impugned inaction of the Respondent No. 5 and 6 in not furnishing the information as sought under the RTI Act, 2005 inspite of receipt of the same.

The Brief facts of the case are that the Petitioner against an advertisement advertised by the Respondents had applied for different posts in the Assam Rifles vide different applications dtd. 25.06.2011, 29.07.2011, 17.08.2012 and on fulfilling requisite qualification was duly called for a written examination and on being qualified for the same was allowed to undergo Trade and Medical test by the Respondent authorities. Furthermore after undergoing Trade and Medical Test, the Petitioner was informed that he has successfully cleared both the tests and that his candidature has been forwarded to the Office of the Respondent No. 2 for necessary further action and that he would soon receive a call up letter in his home address and when information/ call up letter reached the Petitioner even after the lapse of considerable period, the Petitioner vide an RTI application dated 03.08.2013 sought for the report of Trade as well as medical test relating to his candidature. However, inspite of the receipt of the same the Respondent did not respond as such the Petitioner under section 19(1) of the RTI application filed an appeal before the Appellate authority. However, even the appellate authority sat tight over the appeal and evoked no response. Hence, this writ petition before this Hon’ble Court”.

Learned counsel appear for and on behalf of the petitioner submits that the Petitioner applied for certain documents through RTI. The same was not furnished to them initially and compel the Petitioner to approach this Court. Respondent filed Affidavit wherein it is stated that the Respondent is ready to furnish the documents as applied by the Petitioner through RTI.

Also heard the Learned counsel Shri. R. Debnath CGC who consented and agreed with the submission advanced by the Learned counsel for the Petitioner.

After hearing the submissions advanced by the Learned counsels at bar Respondent is directed to furnish the documents applied through RTI to the Petitioner within a week.

Let the documents be furnished to the Petitioner counsel and obtain proper receipt.

With this observation and direction the instant petition is allowed and disposed off.

JUDGE

