

Court No. - 40

Case :- WRIT - C No. - 28826 of 2023

Petitioner :- Anita Devi

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Himanshu Singh

Counsel for Respondent :- C.S.C., Adarsh Bhushan, Kunal Ravi Singh, Vivek Kumar Singh

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Prashant Kumar, J.

1. Heard learned counsel for the petitioner; Shri Kunal Ravi Singh, learned Chief Standing Counsel for State respondents and Shri Vivek Kumar Singh for respondent no.2.

2. In pith and substance, the petitioner is aggrieved that certain information has not been provided by the competent authority under the Right to Information Act (in short "the Act").

3. At very outset, learned Chief Standing Counsel raised an objection regarding the maintainability of the writ petition on the ground that for the reliefs claimed in the writ petition, the petitioner has got efficacious remedy to prefer appeal under Section 19 (1) of the Act. Once alternative remedy is available, there is no reason or occasion to byepass the same and as such the writ petition is liable to be dismissed.

4. We have proceeded to examine the record in question and find substance in the objection raised by learned Chief Standing Counsel and as such we are not inclined to interfere in the matter. Needless to say, it is always open to the petitioner to press his claim before the appellate forum under the Act.

5. The writ petition stands **disposed of** accordingly.

Order Date :- 16.10.2023

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