

Regular List
Serial No. 03

**IN THE HIGH COURT OF JAMMU & KASHMIR AND
LADAKH
AT JAMMU**

WP(C) No. 3080/2025

Date of pronouncement : 25.11.2025
Uploaded on : 28.11.2025

Rakesh Singh Jamwal
.....Petitioners

Through:- Piyush Sharma, Advocate.

V/s

UT of J&K & Ors.
.....Respondents

Through:- Mr. Vishal Bharti, Dy. AG. vice
Mrs. Monika Kohli, Sr. AAG.

CORAM: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE
JUDGMENT (ORAL)

01. The petitioner, acting through his Advocate Mr. Piyush Sharma, exercised his right to seek information under the Right to Information (RTI) Act, 2005, by submitting an application to the Central Public Information Officer (CPIO), Police Headquarter, Srinagar through a legal notice dated 13.09.2024 asking for the information as enlisted from Serial nos. 1 to 8.

02. In response to said RTI, Central Assistant Public Information Officer (CAPIO), Police Headquarter, PHQ J&K

Police, vide communication No. PHQ/RTI-61/2024/7579957 dated 09.12.2024 addressed to petitioner's counsel Mr. Piyush Sharma, apprised that information solicited is confidential as per the inputs from the DSP (Personal) PHQ, J&K and does not have any relation with any public activity, as such, cannot be provided.

03. Rejection of his RTI in the manner as referred above led the petitioner to first appeal under section 19 of the Right to Information (RTI), Act 2005 addressed to Inspector General of Police (IGP), PHQ, who vide communication No. PHQ/RTI-61/Appeal-17/2024/7579957 dated 23.12.2024, addressed to petitioner's counsel Mr. Piyush Sharma came to convey that requisite information solicited has already been provided in terms of reply No. PHQ/RTI-61/2024/7579957 dated 09.12.2024, least mindful of the fact that there was no information provided whatsoever except stating the fact that information was not provideable as solicited by the petitioner as if the petitioner had exercised right of appeal just for the sake of lip service coming from the first appellate authority for the matter of just telling that information stands provided when no such information was ever provided to the petitioner or his counsel.

04. The first appellate authority was supposed to examine whether the refusal to give the information was a valid one or not, or further whether the information solicited by the petitioner is sharable or not, but nothing of this sort was done by the first appellate authority which constrained the petitioner to invoke second appeal remedy under section 19(3) of the Right to Information (RTI) Act, 2005 which is still pending consideration before the last appellate authority of Central Information Commissioner, Jammu Bench, Jammu.

05. The second appeal preferred by the petitioner under section 19(3) of the Right to Information (RTI) Act, 2005 being under consideration before the Central Information Commissioner, Jammu Bench without any latest status apprised to the petitioner left him concerned to come up with the present writ petition before this Court.

06. Pursuant to the direction of this Court in terms of an order dated 17.11.2025, Mr. Azhar Bashir, Chief Public Information Officer (CPIO), PHQ, Srinagar is present in person.

07. This writ petition is ***disposed of*** with a request to second appellate authority of Central Information Commissioner, Jammu Bench, Jammu to conduct expedited

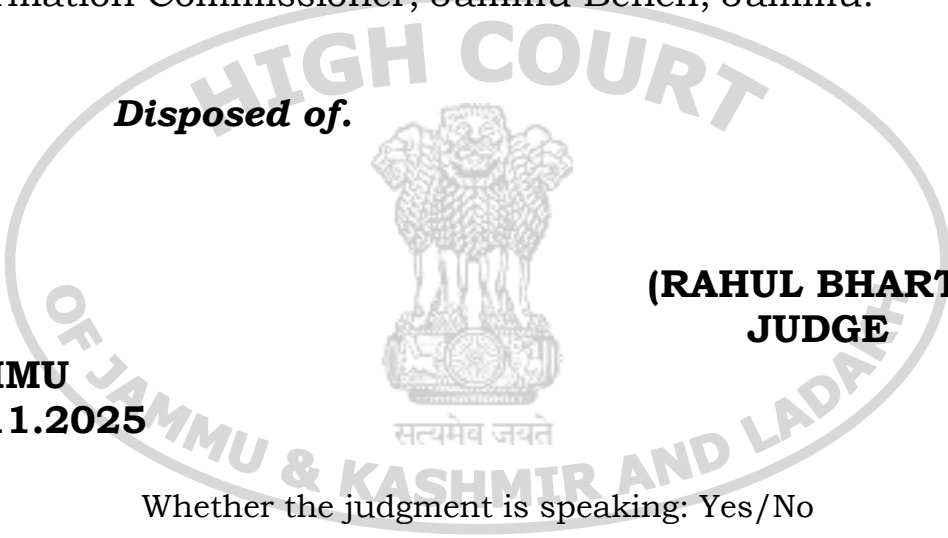
hearing and adjudication of the petitioner’s second appeal for enabling the petitioner to know about the fate of his Right to Information exercise for the purpose of seeking the information as solicited in legal notice dated 13.09.2024.

08. The present writ petition is, accordingly, ***disposed of.***

09. Petitioner is entitled to provide a certified copy of this order to the second appellate authority of Central Information Commissioner, Jammu Bench, Jammu.

10. ***Disposed of.***

JAMMU
25.11.2025
Bunty



(RAHUL BHARTI)
JUDGE

Whether the judgment is speaking: Yes/No

Whether the judgment is reportable: Yes/No