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HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 4450 of 2026

1 - Virendra Kumar Sahu S/o Shri Dileram Sahu Aged About 36 Years R/o House No. 200 / 49, Damad Mohalla, Dadarkhurd, District Korba, C. G. Pin Code, 495682.
... **Petitioner(s)**

versus

1 - Chhattisgarh State Information Commission Through Its Secretary Sector 19, North Block Nava Raipur Atal Nagar District Raipur C. G. Pin Code, 492002.

2 - State Of Chhattisgarh Through- The Secretary Department Of Revenue And Disaster Management Mahanadi Bhawan Mantralaya Nava Raipur District Raipur C. G.

3 - Additional Collector And Appellate Authority, Under The Right To Information Act, 2005, Office, Of The Collector District Janjgir Champa C. G.

4 - Public Information Officer, Cum Sub, Divisional Officer, (Revenue) And Land Acquisition, Officer, Champa, District Janjgir Champa C. G.

5 - Public Information Officer Cum Sub- Divisional Officer, (Revenue) Janjgir Champa, C. G.

... **Respondent(s)**

For Petitioner(s)	:	Shri Shantam Awasthi, Advocate.
For Respondent No.1	:	Shri Shayam Sunder Lal Tekchandani, Advocate.
For State/respondent	:	Shri Anway Tiwari, PL.

Hon'ble Mr. Justice Amitendra Kishore Prasad

Order on Board

01/09/2026

1. Default as pointed out by the Registry is claimed to have been removed by counsel for the petitioner.
2. Grievance of the petitioner as projected in this Writ Petition is to the effect of issuance of direction to Respondent No.1 for expeditious disposal of

petitioner's Second Appeal/Complaint bearing No.420251227008192 (Annexure P/4) as preferred by the petitioner on 27.12.2025 under the Right to Information Act, 2005.

3. Gist of the facts of the case is that the Petitioner's grandfather, late Baldram Sahu, was the recorded Bhumi-Swami of agricultural land situated at Villages Birra, Siladehi and Taldeveri, District Janjgir-Champa, Chhattisgarh and his land was acquired for the purposes of a power project. In relation to the said acquisition, the Petitioner submitted an online application under the Right to Information Act, 2005 on 08.10.2025 before the Public Information Officer-cum-Sub-Divisional Officer (Revenue) and Land Acquisition Officer, Champa, bearing Registration No. 220251008003589. No information was furnished to the Petitioner within the period prescribed under Section 7(1) of the RTI Act, which expired on 07.11.2025. No rejection order was communicated, nor was any exemption under the Act invoked. Subsequently, it came to the Petitioner's knowledge, from the order dated 02.01.2026 passed by the Respondent No. 3, that the RTI application had purportedly been transferred under Section 6(3) of the Act to the Public Information Officer, Champa, by letter dated 10.10.2025. The said communication was never furnished to or served upon the Petitioner. Aggrieved by the non-furnishing of information, the Petitioner preferred a First Appeal under Section 19(1) of the Act on 10.11.2025, bearing Online Registration No. 320251110003152. Notice of hearing was issued and the matter was fixed for hearing on 23.12.2025. The Petitioner duly appeared before the Respondent No. 3 on the appointed date. The Public Information Officer did not appear at the hearing. The reply submitted on his behalf merely stated that the application had been

transferred to Champa and did not furnish any of the information sought by the Petitioner. Since no order was passed on the First Appeal within the period prescribed under Section 19(6) of the Act, the Petitioner preferred a Second Appeal/Complaint before the Respondent No. 1 on 27.12.2025, bearing Online Registration No. 420251227008192, seeking appropriate action under Sections 18 and 19(3) of the Act, including imposition of penalty as permissible in law. Thereafter, by order dated 02.01.2026 passed in Appeal Case No. 83/2025, the Respondent No. 3 declined to entertain the First Appeal solely on the ground that the RTI application had been transferred to the Public Information Officer, Champa, whereas the First Appeal had been filed against the Public Information Officer, Janjgir. The Respondent No. 3 did not adjudicate the Petitioner's grievance regarding the complete non-furnishing of information. The aforesaid order was passed fifty-three days after presentation of the First Appeal and beyond the outer limit prescribed under Section 19(6) of the Act. The State's online portal itself records the status of the First Appeal as "Application Time Limit Reached Action not taken by FAO after hearing". The Second Appeal/Complaint filed before the Respondent No. 1 on 27.12.2025 has, however, remained undecided. No notice has been issued to the Petitioner and no date of hearing has been fixed. The online status continues to reflect "Under Process", with the further entry "Transfer case: work distribution, court 2 staff officer". Thus, despite the passage of several months since the filing of the RTI application, the Petitioner has neither received the information sought nor obtained an adjudication upon his statutory grievance. The present Petition is therefore confined to the failure and inaction of the authorities

under the RTI Act, particularly the failure of the Respondent No. 1 to take up and decide the Petitioner's Second Appeal/Complaint in accordance with law.

4. Counsel for the petitioner submits that the purpose of filing of this petition would be served if Respondent No.1 is directed to decide the second appeal of the petitioner within some stipulated time period.
5. Counsel for Respondent No.1 submits that he tried to seek instructions in the matter on the online platform, however, it is not visible therein as to whether second appeal of the petitioner is pending or the same has been decided.
6. Considering the limited prayer made by the petitioner, the present petition is **disposed of** with a direction to Respondent No.1 to take up and consider the Second Appeal/Complaint bearing Online Registration No. 420251227008192, filed by the petitioner on 27.12.2025, and decide the same in accordance with law, if not yet decided, as expeditiously as possible, preferably within a period of 45 days from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner and Respondent No.1 shall decide the matter uninfluenced by any observation made in the present order.
7. The petitioner shall be at liberty to furnish a copy of this order along with the relevant documents to Respondent No.1 for necessary compliance.

Sd/-

(Amitendra Kishore Prasad)
Judge