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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.8662 OF 2012

Balewadi Properties LLP	... Petitioner
Vs.	
Pune Municipal Corporation and Ors.	... Respondents

**WITH
CIVIL APPLICATION NO.1984 OF 2014
IN
WRIT PETITION NO.8662 OF 2012**

Ravindra Laxman Barhate	... Applicant/ Intervener
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In the matter between

Balewadi Properties LLP	... Petitioner
Vs.	
Pune Municipal Corporation and Ors.	... Respondents

**WITH
CIVIL APPLICATION NO.2952 OF 2012
IN
WRIT PETITION NO.8662 OF 2012**

Adv. Krishna M. Jadhav	... Applicant/ Intervener
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In the matter between

Balewadi Properties LLP	... Petitioner
Vs.	
Pune Municipal Corporation and Ors.	... Respondents

Mr. S.S. Patwardhan, for the Petitioner.
Mr. Ganesh Krishnaji Sovani, for the Applicant in CAW No.1984 of 2014.
Mr. Abhijit P. Kulkarni, for Respondents.
None for the Applicant in CAW No.2952 of 2012.

**CORAM : A.S. OKA &
A.K. MENON, JJ.**

DATE : 21st JANUARY, 2015

P.C.

. Heard the learned counsel appearing for the Petitioner, the learned counsel representing the Respondents and the learned counsel representing the Applicant in Civil Application No.1984 of 2014. None appears for the Applicant in Civil Application No.2952 of 2012.

2. This Writ Petition under Article 226 of the Constitution of India is filed by the Petitioner on the basis of an apprehension that the Respondents are likely to disclose information relating to the Petitioner's project of development of land bearing Survey Nos.20 and 21 situated at Balewadi, Taluka Haveli, District Pune, without complying with the provisions of Section 11 of the Right to Information Act, 2005 (for short "the said Act of 2005") and without considering the provisions of Section 8 of the said Act of 2005.

3. The learned counsel appearing for the Respondents in the Writ Petition states that there were two applications received by the Pune Municipal Corporation in relation to the property claimed by the Petitioner. He states that one application was received from Shri Nilesh Kanade through his Advocate Shri Krishna M. Jadhav. He states that

another application was received from Shri Ravindra Laxman Barhate (the Applicant in Civil Application No.1984 of 2014). He invited our attention to the internal correspondence made between the officers of the Pune Municipal Corporation. He states that as of today, information has not been furnished on the basis of the application made by Shri. Krishna M. Jadhav, Advocate on behalf of Shri Nilesh Kanade.

4. The learned counsel appearing for the Applicant in Civil Application No.1984 of 2014 states that on 28th August, 2012, the Applicant in the said application made an application under the said Act of 2005 for supply of information as regards the property claimed by the Petitioner. He states on instructions that the information as prayed for has been furnished to the Applicant before the Writ Petition was filed. After the attention of the learned counsel appearing for the Applicant is invited to the averments made in paragraphs 12 and 13 of the said application, on instructions of the Applicant who is stated to be present in the Court, he reiterates that information has been furnished to the Applicant on the basis of application dated 28th August, 2012. We accept the said statements. In view of the statements made by the learned counsel appearing for the Applicant in Civil Application No.1984 of 2014, nothing will survive in the said application. In view of this categorical statement, it is not necessary to issue any direction in

the Writ Petition as regards the application dated 28th August, 2012 made by the Applicant in the said application. If the Petitioner has any grievance regarding the action of the Municipal Corporation of furnishing the information to the Applicant in the said application, it is for the Petitioner to adopt appropriate proceedings in accordance with law.

5. As far as the application made by Shri. Krishna M. Jadhav, Advocate on behalf of Shri Nilesh Kanade is concerned, the learned counsel appearing for the Respondents in the Writ Petition has tendered across the bar a letter dated 13th January, 2015 addressed to him by the concerned Public Information Officer of the Pune Municipal Corporation in which it is stated that on the pending application, procedure under Sub-Section (1) of Section 11 of the said Act of 2005 will be followed and both the Petitioner and the Applicant who have sought information will be heard. A copy of letter dated 13th January, 2015 is taken on record and marked 'X' for identification. In view of the statements in the letter, it is not necessary to entertain this Petition as far as the application made on behalf of Shri Nilesh Kanade is concerned. As the Petitioner will be heard by the Public Information Officer, he can always invite the attention of the Information Officer of the Pune Municipal Corporation to the provisions of Section 8 of the said Act of 2005.

6. By accepting the statements of the learned counsel appearing for the Applicant in Civil Application No.1984 of 2014 and by accepting the statement in letter dated 13th January, 2015, we dispose of the Petition.

7. Civil Application No.1984 of 2014 stands disposed of in view of the statements of the Applicant.

8. As none appears for the Applicant in Civil Application No.2952 of 2012, in view of the order passed in the main Writ Petition, the same stands disposed of.

(A.K. MENON, J)

(A.S.OKA, J)