

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Letters Patent Appeal No.2148 of 2014 (O&M)
DATE OF DECISION: 06.02.2015

Mahesh Sahnani

....Appellant

versus

Information Commissioner, Central Information Commission and
others

.....Respondents

CORAM:- HON'BLE MR.JUSTICE S.J.VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Vaibhav Sehgal, Advocate for the appellant
..

S.J. VAZIFDAR, ACTING CHIEF JUSTICE (Oral) :

This is an appeal against the order of the learned single Judge dated 04.11.2014 dismissing the petition challenging the order passed under the Right to Information Act, 2005. These orders, in turn, rejected the appellant's application for certain information.

2. The information pertains to the correspondence and agreements/arrangements between the bank and certain other constituents. The information sought under the RTI Act, therefore, was in relation to third parties which is normally not permissible under Section 8(1)(e) of the said Act.

3. In any event, the appellant says that he requires the information in connection with his defence to the O.A. filed by the Indian Bank. The appellant is always entitled to

seek the information in the O.A. itself. There is no reason to presume that, if it is otherwise permissible, the same would be denied to him. The apprehension that it will be denied on the ground that the information sought is not already on the record of the DRT is not well founded. A party cannot be refused material information merely because it is not presently on the record of the DRT.

4. The appeal is accordingly disposed of with liberty to file an appropriate application in the O.A. pending before the DRT or in any other proceedings.

**(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE**

06.02.2015
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**(AUGUSTINE GEORGE MASIH)
JUDGE**