

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9061 of 2015

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Mithlesh Kumar, son of late Ram Babu Rai, Resident of Village Darapur, office Gorigama, Mahnar Block Police Station Mahnar, District Hajipur at Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, H.R.D. Department, Government of Bihar, Patna.
2. The State Information Commission, Information Building , 4th Floor, Bailey Road, Patna.
3. The appellate Authority, under the Public Information Centre, Vaishali.
4. The Block Education Extension Officer-cum-Public Information Officer, Mahnar Block, District Vaishali.
5. The Director, Human Resources Development Department , Bihar, Patna.
6. The District Superintendent of Education , Vaishali.
7. The Head Master, Primary School , Darapur, within Mahnar Block, District Vaishali.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satya Nand Shukla, Advocate

For the Respondent/s : Smt. Namrata Mishra, GA-13

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 08-12-2016

Heard learned counsel for the parties.

2. The petitioner has sought information from the respondent authorities with regard to number of students, expenditure on Madhyahna Bhojan Institution and Others in the present writ application filed in public interest. The petitioner had earlier sought such information under the Right To Information Act, 2005 from the respondents, but vide order dated 17th September,



2011, the Appeal has been dismissed denying such information.

3. The present petition has been filed in the year 2015, but without even challenging the said order passed under the Right to Information Act. Once the information sought by a statutory authority has been declined, the petitioner cannot seek the information in the writ jurisdiction under the guise of public interest.

4. Consequently, we do not find any merit in the present writ application.

5. The present writ petition is accordingly dismissed.

(Hemant Gupta, J)

(Vikash Jain, J)

K.C.jha/-

AFR/NAFR	NAFR
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