

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

940 WRIT PETITION NO. 10140 OF 2015

MOHD IRFAN ABDUL MANNAN GHONGADE
VERSUS
STATE INFORMATION COMMISSION THROUGH ITS REGISTRAR
AURANGABAD

...
Advocate for Petitioner : Mr. Sachin S. Deshmukh
AGP for Respondent-sole : Mr. B. A. Shinde
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CORAM : V. K. JADHAV, J.

DATED : 28th JANUARY, 2016

PER COURT :-

1. Heard.
2. Issue notice to respondent sole. Learned AGP waives notice for respondent sole.
3. By consent, heard finally.
4. Learned counsel for the petitioner submits that petitioner sought information under Right to Information Act, 2005 from Deputy Superintendent of Land Records. However, the said information is not furnished within time as contemplated under the Act. Consequently, petitioner preferred an appeal before respondent sole. It was informed to the petitioner vide communication/order dated 27.04.2015 that due to certain non-compliances, the appeal cannot be taken up for hearing and therefore, the appeal came to be dismissed at the lodging stage. Learned

counsel for the petitioner submits that if the petitioner is relegated to respondent sole, he would remove the office objections within three weeks from the date of his appearance before the authority.

5. I have also heard learned AGP for respondent sole, who submits that the impugned order is passed on 27.04.2015 and the petitioner has approached this Court belatedly.

6. In view of the statement made by learned counsel for the petitioner, the order dated 27.04.2015 passed by respondent sole in Second Appeal No. 1014 of 2015 is hereby quashed and set aside. Petitioner shall appear before respondent sole on 02.02.2016 and remove the objections within a period of three (03) weeks thereafter. The respondent authority shall dispose of the appeal on merits and in accordance with law.

7. Writ Petition stands disposed of accordingly. No costs.

(V. K. JADHAV, J.)

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