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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 1764/2016**

S D WADHWA

..... Petitioner

Through None
versus

CPIO O/O REGISTRAR, COOPERATIVE SOCIETIES, N. DELHI

..... Respondent

Through None

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Date of Decision: 04th March, 2016

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

J U D G M E N T

MANMOHAN, J: (Oral)

1. None is present for the petitioner. Even a passover is not sought. Consequently, this Court has no other option but to proceed ahead with the matter.

2. Present writ petition has been filed challenging the order dated 23rd June, 2015 passed by the Central Information Commission (CIC), whereby it has dropped penalty proceedings against the respondent on the ground that the order of the CIC had been complied with. The relevant portion of the impugned order is reproduced hereinbelow:-

“3. In response to the above order, the PIO Mr.A.K.Verma, AR along with Mr. L.S. Rawat were present before the Commission and made oral and written submissions dated 20-5-2015 a copy of which was also given to the appellant and submitted that the

order of CIC dated 1-12-2008 has been complied with. They had sent the list of members of the defunct society as on 8-12-2008 to the appellant as per the order of CIC. They have also furnished to the appellant the audited accounts of the society up to the year 2008. The society was wound up long back. A liquidator was appointed and the liquidation proceedings have almost reached to a final stage. Any grievance/additional document, which the appellant is having, can be submitted before the Liquidator. The respondent officers have also offered inspection of the available record to the appellant, if he is still not satisfied, for which the appellant was not ready to avail the same.

4. In view of the above, the Commission is satisfied that the CIC order dated 1-12-2008 had been complied by the respondent authority and hence the penalty proceedings are dropped.”

3. In the petition, it has been averred that the CIC failed to appreciate the ordeal suffered by four members of the society, and their counsel for the last 20 years.

4. It is pertinent to mention that the present petition has been filed by a counsel on the ground that four affected members are near and dear relatives of his.

5. In the opinion of this Court, though the petitioner-counsel may be closely related to the information seekers, yet that would not give him a *locus standi* to file a petition under Section 20 of the Right to Information Act, 2005.

6. Moreover, a Division Bench of this Court in **Anand Bhushan Vs. R.A. Haritas, LPA 777/2010 decided on 29th March, 2012** has held that an information seeker has no locus in penalty proceedings under Section 20 of the Act. It was further held in the said judgment imposition of penalty is not mandatory in each and every case.

7. Consequently, the present writ petition is dismissed.

MANMOHAN, J

MARCH 04, 2016
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