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

+ W.P.(C) 2760/2016 & C.M.No.11604/2016

UNION BANK OF INDIA Petitioner

Through Mr.O.P.Gaggar, Advocate.

versus

CENTRAL INFORMATION COMMISSION & ANR.

..... Respondents

Through None

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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30.03.2016

Present writ petition has been filed challenging the order dated 29th January, 2016 passed by CIC, whereby the petitioner was directed to disclose the information sought by respondent No.2 vide RTI application dated 24th July, 2014 regarding process notes and other requisite papers placed before the Appellate Authority, process notes before Chief Vigilance Officer, noting of the Chief Vigilance Officer and decisions of the Appellate Authority or any other authority.

Learned counsel for petitioner states that the information sought by respondent No.2 is directly related to his second criminal case pending adjudication before CBI Court, Saket and therefore, the information is exempt under Section 8(1)(h) of the Right to Information Act, 2005.

In response to a pointed query, learned counsel for the petitioner has admitted that the services of the respondent no.2 have

been terminated and he has already been convicted in another criminal case filed by the CBI.

Keeping in view the aforesaid, this Court is of the opinion that Section 8(1)(h) of the RTI Act does not apply to disclosure of the information sought as the respondent no.2's services already stand terminated and Criminal Court has pronounced a judgment in one of the cases. This Court is also of the view that the respondent no.2 must 'have his say in Court'. If he can rely upon some of the internal documents of the Bank, the said opportunity should not be denied.

It is pertinent to mention that one of the grounds in the present writ petition is that disclosure of the vigilance reports of the Bank would have the effect of eroding the confidence of the public in the security and safety of their money of which the bank is the custodian!

Consequently, the present writ petition and the application are dismissed.

MANMOHAN, J

MARCH 30, 2016
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