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

+ **W.P.(C) 6935/2016**

NARENDRA KUMAR TIWARI

..... Petitioner

Through Mr. Shreyas Mehrotra with Mr.
Jasdeep Singh Dhillon, Advocates.

versus

UNION OF INDIA AND ORS

..... Respondents

Through Mr. Jagjit Singh with Mr. Preet Singh
and Mr. Kiran Kaushik, Advocates.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **09.08.2016**

CM No.28504/2016 (exemption)

Exemption is allowed subject to all just exceptions.

W.P.(C) 6935/2016

The petitioner has filed the present petition contending that the petitioner had moved an application under Right to Information Act, 2005 seeking a copy of the OMR answer sheet of the petitioner. The said request was declined. The First Appellate Authority has also declined the said request. The petitioner has filed an appeal before the Chief Information Commissioner on 26.05.2016 and the appeal is pending. The apprehension expressed by the petitioner is that by the time the appeal is taken up for disposal, the respondents may destroy the OMR sheet which would make the appeal infructuous.

Issue notice. Notice is accepted by the learned counsel appearing for the respondent Nos.1 to 3.

Since the appeal of the petitioner is still pending before the CIC, at this stage no orders for supply of information can be passed. The writ petition is premature. However, to dispel the apprehension of the petitioner, the writ petition is accordingly disposed of with a direction to the respondents to preserve the OMR sheet till the decision on the appeal by the CIC.

The petitioner would be at liberty to avail of appropriate remedies available in law, in case, he is aggrieved by the decision of the CIC.

SANJEEV SACHDEVA, J

AUGUST 09, 2016
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