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

+ W.P.(C) 11615/2015 & CM APPL. 30799/2015

RITU BHATIA

..... Petitioner

Through Mr. Yogendra Kumar, Advocate

versus

MINISTRY OF CIVIL SUPPLIES CONSUMER

AFFAIRS & PUBLIC DISTRIBUTION AND ANR Respondents

Through Ms. Shiva Lakshmi, CGSC with
Mr. Akash Vajpai, Advocate for R-1.

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Date of Decision: 21st January, 2016**CORAM:****HON'BLE MR. JUSTICE MANMOHAN****J U D G M E N T****MANMOHAN, J: (Oral)**

1. Present writ petition has been filed challenging the orders passed by the Central Information Commission on 6th and 7th August, 2015. By the order dated 6th August, 2015 petitioner's appeal was dismissed holding that the information asked for was exempt from disclosure under Sections 8 1(e), (g) and (h) of the Right to Information Act, 2005 [for short "RTI Act"]. By the order dated 7th August, 2015, CIC directed respondent no. 2 to provide minutes of meeting, without mentioning the names, in Selection Committee Report dated 13th February, 2014 to the petitioners in accordance with her RTI application within thirty days.

2. Learned counsel for the petitioner states that under proviso to Section 8(1)(j) of RTI Act, respondents cannot deny the information asked for by the petitioner. He also states that the information asked for is urgently required as petitioner's LPA is pending.
3. Learned counsel for petitioner lastly states that no information even in accordance with the order dated 7th August, 2015 has been furnished to the petitioner till date.
4. In the opinion of this Court, as no exemption from disclosure has been claimed under Section 8(1)(j) of RTI Act, it is not understood as to how its proviso can render any assistance to the petitioner.
5. Further, if the Division Bench of this Court requires any information, it can surely ask the respondent no. 2 to produce the same before it.
6. Moreover, even if the information directed has not been provided by respondent no. 2, then the petitioner has to file proceedings under the RTI Act.
7. Consequently, present writ petition and application are dismissed. However, petitioner is given liberty to file proceedings under the RTI Act for alleged breach of the order dated 7th August, 2015. Rights and contentions of all the parties are left open on that aspect.

MANMOHAN, J

JANUARY 21, 2016

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