

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.154 of 2015
IN
Civil Writ Jurisdiction Case No. 976 of 2013**

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Dr. Brahmchari Prabunath Pathak S/O Late Chandrika Dutt Pathak R/o Village +
Post- Markan, P.S.- Hussainganj, District- Siwan

.... Appellant

Versus

1. The Bihar State Information Commission through its Legal Officer-Cum Registrar, Soochna Bhawan, Fourth Floor, Baily Road, Bihar, Patna
2. The Legal Officer-cum-Registrar, Soochna Bhawan, Fourth Floor, Baily Road, Bihar, Patna
3. The Public Information Officer Dayanand Ayurvedic Medical College and Hospital, Siwan
4. The Secretary-cum-First Appellate Authority Dayanand Ayurvedic Medical College and Hospital, Siwan

.... Respondents

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Appearance :

For the Appellant : Mr. Vindhyachal Singh, Advocate

Mr. Gaurav Govind, Advocate

For the Respondents : Mr.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 20-06-2017

Heard learned counsel for the appellant.

The order under challenge is dated 25.11.2014 passed
by the learned single Judge who has dismissed the writ application
by refusing to interfere with the order or opinion expressed by the
Chief Information Commissioner with regard to the obligation upon
the respondents of Dayanand Ayurvedic Medical College and



Hospital to provide certain inputs and information relating to the year 1991.

A very detailed consideration has been made placing the history of the medical college in question, the position which this appellant had held in the said establishment as a Secretary and the reason why those information cannot be compelled to be provided in absence of the same being available.

The Right to Information Act has been put into public domain not with the object of playing games with oblique motive by certain vested interest. The Act is supposed to facilitate provision of certain information available within the public domain and which can be readily made available. The Chief Information Commissioner has taken note of the fact that the present appellant was the Secretary of the Governing Body between the year 2005 to 2008 and despite the vantage position which he held, after demitting office, he wants inputs and information relating to the year 1991 and the period thereto.

The Court, in the given facts, which have been taken note of both in the order of the Chief Information Commissioner as well as the learned single Judge, comes to a considered opinion that the impugned order dated 25.11.2014 does not need any kind of interference as it does not suffer from any legal infirmity.



Appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Pawan/-

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