

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8617 OF 2012

Nirmalabai Wd/o Ratnakar Dhondu
Saitwal

Petitioner

V E R S U S

Union of India and three others

Respondents

*Mr.Girish Nagori, Advocate for the
petitioner*

*Writ Petition dismissed against
respondent No.1 as per order dated
24.04.2013*

*Mr.M.N. Navandar, Advocate for
respondent Nos.2 & 3*

CORAM : S.V.GANGAPURWALA, J.

DATE : 20th APRIL, 2017

PER COURT :

1. Mr.Nagori, learned counsel for the petitioner submits that the entire information provided by the Central Information Commissioner is not proper. According to the learned counsel, when the respondent states that the husband of the petitioner was terminated from service in the year 1980, then there

was no question of deduction of P.F. upto the year 1982. There is no letter of termination issued to the husband of the petitioner and though demanded by the petitioner, no inquiry report is provided to her. Learned counsel for the petitioner submits that the respondents are required to settle the account of the petitioner.

2. Mr. Navandar, learned counsel for respondent Nos.2 and 3 submits that all information has been provided to the petitioner immediately within one month of her application. It is submitted that only one information could not be provided as the said document is not preserved. Even as per Section 8 (3) of the Right to Information Act, 2005 the information prior to 20 years need not be provided.

3. It is a fact that the information sought by the petitioner in her application was of the period beyond 25 years. It is stated by the respondents that the document, which is not preserved, could not be provided and other available information is provided

to the petitioner. Some amount is shown to have been credited to the account of the petitioner in the year 2010.

4. As far as the aspect of settlement of the account of the petitioner is concerned, the same would be beyond the purview of the Information Commissioner and beyond the ambit of the present petition. It would be for the parties to settle the account of the petitioner. The parties may take proper steps accordingly. As far as information sought by the present petitioner is concerned, except one, all other information has been provided to her. The information which is not provided to her is with regard to the document not preserved, as it is of the period beyond 20 years.

5. Considering the above, Writ Petition is disposed of. No costs.

(S.V. GANGAPURWALA, J.)

