

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

PUBLIC INTEREST LITIGATION NO. 41 OF 2017

Mr. Shashikant P. Chengde and anr. .. Petitioners

V/s.

State of Maharashtra and ors. .. Respondents.

Mr. Niranjan Bhavke i/b Mr. Tejesh Dande and Associates for the
Petitioner.

Mrs. M.P. Thakur, AGP for the Respondent – State.

Mr. A.D. Yadav for Respondent No.2.

**CORAM: DR. MANJULA CHELLUR, C.J.
AND M.S.SONAK, J.**

DATE : 10 NOVEMBER 2017.

P.C.

1] Heard learned counsel for the parties.

2] The petitioners seek general directions as to the functioning of the State Information Commission under the provisions of Right to Information Act, 2005 (RTI Act).

3] The petitioners seek a direction to the State Information Commissioner to reasoned or speaking order. The petitioners, without citing any specific instances seek a general direction in the matter of wrongful appointments to the post of Information Commissioner. The petitioners also seek a direction to the Union of India and State of Maharashtra to undertake legislative reforms

as regards the *ultra vires* provisions under the RTI Act.

4] We find that there are no particulars stated in the petition and even the reliefs applied for are too widely worded. In a public interest litigation, we cannot give such sweeping directions of the nature applied for, including, directions to the Union and State to undertake legislative reforms. Even the vires of provisions is ordinarily not to be tested in public interest litigations.

5] In case, the petitioners are aggrieved by any particular orders made by the State Information Commissioner or any other authority under the R.T.I. Act, it is always open to the petitioners to resort remedies available under the RTIL Act itself.

6] For all the aforesaid reasons, we dismiss this public interest litigation. There shall, however, be no order as to costs.

(CHIEF JUSTICE)

(M.S.SONAK, J.)