

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 3663 OF 2016

(First Appellate Authority and Head Master, Madrasatul Muslemin Rabbani High School and Junior College, Kamptee & Anr. vs. State Information Commission thr. its Commissioner, Nagpur Bench, Nagpur & Anr.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's Orders.

Court's or Judge's orders.

**CORAM : B.P. DHARMADHIKARI &
ROHIT B. DEO, JJ.
JULY 03, 2017.**

Heard Shri S.V. Sohoni, learned counsel for the petitioners and Shri D.B. Abhyankar, learned counsel for respondent No. 2, for some time.

2. The School being aided, has received grant-in-aid, the information, therefore, ought to have been available with it. However, the State Information Commissioner has directed the RTI application to be transferred to the Society and the Secretary/ President of Society was directed to furnish information to respondent No. 2.

3. During the pendency of this challenge, this information has been furnished. Respondent No. 2 has not challenged any finding recorded by the State Information Commissioner. He had applied for information to School through its Head Master.

4. In this situation, we find that the interest of

justice can be met with by removing the penalty of Rs.4,000/- directed to be paid by the petitioners to Respondent No. 2.

5. Accordingly, only that direction to pay an amount of Rs.4,000/- (Rs. Four thousand only) as costs/ penalty is set aside. Writ Petition is allowed and disposed of. No order as to costs.

JUDGE

JUDGE

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