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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ LPA 212/2017, C.M. APPL.12459-12460/2017 & 12462/2017
NATIONAL INSTITUTE OF FASHION TECHNOLOGY

..... Appellant
Through : Sh. Pratap Shankar with Sh. S. Shantanu
and Ms. A. Shivani, Advocates.

versus

UNION OF INDIA & ORS Respondents
Through : Sh. Roshan Lal Goel and Ms. Anju
Gupta, Advocates, for UOI.
Sh. Nishant Datta, Advocate, for Respondent No.3
with respondent in person.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
19.09.2017

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This appeal is directed against an order of the learned Single Judge, upholding the order of the Central Information Commission (CIC) under the RTI Act, 2005 [hereafter referred to as “the 2005 Act”].

The information was sought to be withheld by the appellant by invoking Section 8(1)(h) of the 2005 Act. Learned Single Judge was of the opinion that no investigation was pending and therefore, the provision did not aid the appellant, i.e. the NIFT. The argument with respect to applicability of Section 8(1)(g) too was rejected.

It transpired during the course of hearing that the information applicant or the respondent in this case, has filed a writ petition, i.e. W.P.(C) 6105/2016 before the Principal seat Jabalpur of the High Court of Madhya Pradesh, which is pending consideration; the subject matter of that petition is the alleged illegal summary termination. NIFT submits that in case the relevant files, including the complaint and the relative papers are requisitioned through appropriate application in those proceedings, it would have no objection to production of such records before the High Court.

In these circumstances, the information applicant can move an appropriate application for production of such documents. It goes without saying that it would be considered and would be subject to appropriate orders of the High Court. In such event, the NIFT also states that it would have no objection to the disclosure of such documents made by it before the High Court, to the information applicant/respondent.

In view of the above statements, the grievance of the NIFT does not survive. The appeal is accordingly disposed of along with the pending applications.

S. RAVINDRA BHAT, J

SUNIL GAUR, J

SEPTEMBER 19, 2017/ajk