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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 5281/2016 & CM No. 22103/2016

CENTRAL BOARD OF SECONDARY
EDUCATION

..... Petitioner

Through: Mr Amit Bansal and Ms Seema Dolo,
Advocates.

versus

NARESH PRASAD

..... Respondent

Through: Mr N. Tiwari and Ms Suman,
Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **10.08.2017**

1. Mr Bansal, learned counsel for the petitioner submits that the issue involved in the present petition is covered by the decision of this Court in LPA no.275/2014 captioned as '*Paras Jain v. Institute of Companies Secretaries of India*'. However, the Supreme Court by an order dated 09.05.2015 passed in SLP(C) no.12692/2014 titled as '*Institute of Companies Secretaries of India v. Paras Jain*' has stayed the operation of the decision of this Court in *Paras Jain (supra)*.
2. The issue involved in the present petition essentially is whether the petitioner is entitled to charge a sum higher than what is specified under the Right to Information Act, 2005 (hereafter 'the Act') for providing copies of answer sheets. Mr Bansal, learned counsel states that without prejudice to the contention of the petitioner that it is entitled to charge the amount as fixed by it, the petitioner would provide the photocopies of the answer

sheets requested by the respondent, if available, on payment of ₹2/- per page. The petitioner would further abide by the decision of the Supreme Court in the case of ***Paras Jain*** (*supra*) and in the event the decision of this Court dated 22.04.2014 in LPA no. 275/2014, which is impugned in the said proceedings, is upheld, it shall modify the charges in conformity with the Act.

3. In view of the above, no further proceedings are required to be continued by the CIC against the petitioner.

4. The learned counsel for the respondent also states that on receipt of the photocopies of the answer scripts as requested, the respondent would not pursue any proceedings for imposition of penalty.

5. The petition and the pending application are disposed of with the aforesaid observations.

6. Order *dasti*.

VIBHU BAKHRU, J

AUGUST 10, 2017
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