

\$~11

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

+ W.P.(C) 3935/2017 & CM No. 17337/2017 (stay)

UNION OF INDIA

..... Petitioner

Through: Ms Anjana Gosain, Advocate.

versus

MAJ MAHOHARAN J AND ANR

..... Respondents

Through

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

14.11.2017

1. None appears for the respondents.
2. The petitioner impugns the order dated 20.09.2016 passed by the Central Information Commissioner (hereinafter 'the CIC'), whereby the CIC had directed the petitioner to provide a copy of the answer sheets submitted by respondent no.1, failing which, penal consequences under Section 20 of the Right to Information Act, 2005 would follow.
3. The present petition was moved on 08.05.2017 and on that date this Court had noted that in view of the stand of the petitioner that the answer sheets have already been weeded out, there would be no possibility for providing the same to respondent no.1. The court had further observed that the other issues raised by the petitioner are also not required to be examined in this petition. In view of the order passed on 08.05.2017, the only question to be examined is whether the petitioner can be visited with penal consequences for not providing the answer sheets as directed by the CIC.

4. The petitioner claims that the answer sheets have been weeded out as per the prevalent practice and policy of the petitioner. The learned counsel assures this court that weeding out of the answer sheets in question was not done to withhold information from the petitioner.

5. In view of the above, the impugned order to the extent that it directs that penal consequences would follow for not providing the answer sheets, is set aside.

6. No further orders are required to be passed in this petition. The petition and the pending application are disposed of.

VIBHU BAKHRU, J

NOVEMBER 14, 2017

MK