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

+ W.P.(C) 4166/2017 and CM Nos.18253-54/2017

SATYA NARAYAN PRASAD Petitioner
Through : Petitioner in person.

versus

SECRETARY, MINISTRY OF LAW AND JUSTICE,
LEGISLATIVE DEPARTMENT & ANR ... Respondents
Through : Mr. Arun Bhardwaj, CGSC
for UOI/R-1..
Mr. P.R. Chopra, Adv. for
R-2/ECI.

CORAM:
HON'BLE THE ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER
% **15.05.2017**

CM Nos.18253-54/2017

Allowed, subject to just exceptions.

The applications are disposed of.

W.P.(C)No.4166/2017

1. The petitioner is aggrieved by the reply dated 27th April, 2017 to the application dated 5th April, 2017 under Right to Information Act, 2005. This reply informs the petitioner that he has the right to file statutory appeal within 30 days from the receipt

of the communication to the appellate authority. Instead of doing so, the petitioner filed this writ petition under Article 226 of the Constitution of India.

2. We are of the view that the petitioner has an alternate equally efficacious remedy available to him which he has not availed and that the present writ petition, without doing so, cannot be entertained.

3. In view of the above, this writ petition is dismissed with liberty to the petitioner to invoke an appropriate remedy of appeal available to him under the Right to Information Act, 2005. In case, the petitioner is aggrieved by the decision taken by the appellate tribunal, it shall be open for the writ petitioner to assail the same by way of appropriate legal proceedings before this court.

Dasti.

ACTING CHIEF JUSTICE

C.HARI SHANKAR, J

MAY 15, 2017

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