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

+ W.P.(C) 10417/2017

HAV NARENDER KUMAR

..... Petitioner

Through: Mr Ankur Chhibber and Ms Priyanka
Singh, Advocates.

versus

CPIO RTI CELL, ADG MT (AE) IHQ OF MOD
(ARMY), AND ORS.

..... Respondents

Through: Mr Kirtiman Singh, CGSC for
respondents.

Mr Sanjeev Narula, Advocate for
CIC/R-1.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **24.11.2017**

CM No. 42596/2017

1. Allowed, subject to all just exceptions.

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2. The petitioner has filed the present petition, *inter alia*, impugning the order dated 11.08.2017 (hereafter 'the impugned order') passed by the Central Information Commission (hereafter 'the CIC'). The principal ground urged by the petitioner is that the impugned order was passed without affording the petitioner an opportunity to be heard. Apparently, the notice of the said hearing was sent to the petitioner but the petitioner was on leave and the same was not forwarded by the petitioner's unit to him.

3. Mr Kirtiman Singh, learned counsel for the respondents fairly states

that the impugned order be set aside and the petitioner be provided one more opportunity to agitate his grievance before CIC.

4. The petition is, accordingly, allowed. The impugned order is set aside and the matter is remanded to CIC to consider the petitioner's Second Appeal under Section 19(3) of the Right to Information Act, 2005 in accordance with law.

VIBHU BAKHRU, J

NOVEMBER 24, 2017
MK