

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 81 of 2012

1. Kamla Bai And Anr. Wd/o Mardan Singh, Aged About 45 Years, R/o Gatapar, P.S.- Thankhamharia, Tahsil- Saja, District- Bemetara Chhattisgarh, Chhattisgarh
 2. Takeshwar Singh S/o Late Raghunath Singh, Aged About 50 Years, R/o Gatapar, P.S.- Thankhamharia, Tahsil - Saja, District- Bemetara Chhattisgarh, District : Bemetara, Chhattisgarh
- Petitioners**

Versus

1. State Of Chhattisgarh Through The Secretary Department Of Home, D.K.S. Bhawan, Raipur Chhattisgarh, Chhattisgarh
 2. The Superintendent Of Police, Durg, District- Durg Chhattisgarh.
 3. The Sub- Divisional Officer Police, Bemetara, District- Durg Chhattisgarh.
 4. The Additional Tahsildar, Thana Khamharia, Tahsil- Saja, District- Durg Chhattisgarh.
 5. The Police Station, Thana Khamharia, Station House Officer, Thana Khamharia, District : Durg, Chhattisgarh
 6. Chhattisgarh State Information Commission, Through The Commissioner, Raipur Chhattisgarh.
- Respondents**

For Petitioners	:	Mr. Bharat Rajput, Advocate.
For Respondents	:	Mr. S.S. Tekchandani, Advocate.
For State	:	Mr. D. R. Minj, Dy. G. A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

09/07/18

1. The petitioners' application seeking information under the Right to Information Act 2005 was declined by First Appellate Authority holding that no FIR has been lodged by Kamlabai relating to stealing of wood allegedly seized. The said order of First Appellate Authority was affirmed by the State Information Commission. Questioning the correctness of that order, this instant writ petition has been preferred.

2. I have heard learned counsel for the petitioners.
3. The two authorities concurrently recorded a finding that Smt. Kamlabai has neither lodged any such FIR in the police Station Khamharia relating to stealing of wood nor the wood has been seized and furnished the information. It is a finding of fact based on record. Petitioners are now questioning the correctness of that information so supplied to them stating that the FIR was lodged by Kamlabai. Even otherwise, the correctness of information so supplied cannot be questioned in the writ proceeding.
4. The writ petition being meritless deserves to be and is accordingly dismissed. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge