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HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1114 of 2018**

Brijendra Sharma, S/o Late Shri Akshay Kumar Sharma, aged about 47 years, presently working as Administrative Officer at Government Nursing College, District Raipur, R/o Near Balaji Hospital, Shriji Vihar, Mowa District-Raipur (C.G.)

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through Secretary Health And Family Welfare Department Mantralaya , Naya Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Directorate, Medical Education, Old Nurses Hostel, D K S Bhawan Compound, Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Chhattisgarh State Information Commission, Through Its Chief Information Commissioner, Nirmal Chhaya Bhawan, Meera Datar Road, Shankar Nagar, Raipur District Raipur Chhattisgarh.
4. Appellate Authority Under Right To Information Act, Office Of Directorate Medical Education, Old Nurses Hostel, D K S Bhawan Compound Raipur Chhattisgarh., District : Raipur, Chhattisgarh.
5. Abhishek Mishra S/o Krishna Kumar Mishra R/o In Front Of Tehsil Office, Civil Lines Balodabazar District Balodabazar Bhatapara Chhattisgarh.

---- **Respondents**

For Petitioner	:	Mr. Mateen Siddiqui, Advocate.
For Respondents/State	:	Mr. Arun Sao, Dy. Advocate General
For Respondents	:	Mr. Shyam Tekchandani, Advocate for RTI.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****23/04/18**

1. In the second appeal filed by respondent No. 5, the State Information Commission, by its order dated 06.03.2018 (Annexure – P/1), while issuing notice to the petitioner also directed to supply information sought by respondent No. 5, against which this writ petition has been preferred by the

petitioner.

2. Learned counsel appearing for the petitioner would submit that personal information / third party information has been directed to be supplied to the respondent No. 5 without issuing any notice to the petitioner which is unsustainable and bad in law.

3. Mr. Shyam Tekchandani, learned counsel appearing for respondents - RTI would submit that primary information has been issued and no information has been directed to be issued by the First Appellate Authority and also, the direction given in Para-3 of the order impugned is optional and not mandatory.

4. I have heard learned counsel for the parties and perused the impugned order with utmost circumspection.

5. Be that as it may, the petitioner is at liberty to make an application before the State Information Commission for intervention / impleadment which will be considered and decided by the said authority expeditiously. So far as supply of information as contained in Para – 3 of the impugned notice is concerned, in this regard decision to furnish information will be taken by the Commission after hearing the affected parties.

6. With the aforesaid observations, the writ petition stands finally disposed of. No order as to cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge