

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 11248 OF 2018

**GOVIND NILKANTH JOSHI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for the Petitioner : Shri S. B. Kadu
AGP for Respondent Nos. 1 to 4 : Shri P. N. Kutti

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 09th OCTOBER, 2018.

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PER COURT :

1. The petitioner who claims to be a farmer contends that as the pendency of applications before Shri K. L. Bishnoi, State Information Commissioner, Nashik Bench is growing, he should be removed from his service. He has, therefore, filed complaints dated 30/08/2017 and 04/09/2017 in the office of the Honourable Governor of the State of Maharashtra. Immediately thereafter, an application is filed in less than three weeks on 26/09/2017 to the Information Officer of the Rajbhavan soliciting information as regards the fate of his complaint.

2. By communication dated 10/10/2017, the Information

Officer has stated that both the complaints are forwarded to the General Administration Department, Mantralaya, Mumbai for consideration. He has then moved the Deputy Secretary of the Honourable Governor who is the First Appellate Authority under the RTI. By communication dated 22/11/2017, the petitioner is informed that the complaints have been forwarded to the General Administration Department of the State. The petitioner then preferred a Second Appeal and by order dated 12/04/2018, the State Information Commissioner, Mumbai has disposed of the Second Appeal by stating that his applications have been forwarded to the General Administration Department.

3. The petitioner contends that he has received a communication from the Information Officer from the GAD dated 14/12/2017 that the GAD is yet to receive his complaints.

4. The petitioner submits through this petition, that order dated 12/04/2018 and 10/10/2017 be quashed and set aside.

5. I find from the impugned orders that the concerned authorities have informed the petitioner that his complaints seeking removal of the State Information Commissioner at

Nashik have been forwarded by the Office of the Honourable Governor to the GAD, Mantralaya. No grievance can be made about such orders, inasmuch as, since the office of the Honourable Governor has informed that the complaints cannot be entertained by his Excellency the Governor, they have, therefore, been forwarded to the State Government which can deal with the issue. I do not find that the information supplied by the office of the Honourable Governor could be termed as being perverse or erroneous.

6. Insofar as, the information supplied to the petitioner by the Information Officer from the GAD dated 14/12/2017 is concerned, if the petitioner is aggrieved, he can prefer his Appeal before the Appellate Authority of the GAD, State of Maharashtra.

7. This petition, therefore, need not be entertained and stands dismissed.

(RAVINDRA V. GHUGE, J.)

shp/-