

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.2511 OF 2017

Dr. Pardeshi Balkrishna Patil : **Petitioner.**
Versus
Shri Ratnakar Gaikwad
The State Chief Information Commissioner
and Second Appellate Authority & ors. : **Respondents.**

Mr. A O Shukla for the Petitioner.
Ms. K H Mastakar for the Respondent-MCGM.
Dr. Pardeshi B Patil – Petitioner present.

**CORAM : R. M. SAVANT &
NITIN W. SAMBRE, JJ.**
DATE : 24th OCTOBER 2018

P.C.

1 By order dated 08/07/2015 of the Public Information Officer of the Municipal Corporation for Greater Mumbai (MCGM) the Petitioner was informed that he would have to deposit an amount of Rs.11,340/- for the documents which the MCGM was ready to provide to him under the Right to Information Act.

2 The Petitioner had approached the 2nd Appellate Authority i.e. the State Chief Information Commissioner (SCIC for short) oblivious of the said letter dated 13/08/2015 (Exhibit I-4) (wrongly mentioned as 08/07/2015 in the order passed by the SCIC). The State Chief Information Commissioner by the impugned order has therefore rejected the Petitioner's Appeal on the ground that the Petitioner has not complied with the requirement of the letter

dated 08/07/2015 (to be read as 13/08/2015) and has also refused to visit the Information Officer of the MCGM with penalty.

3 We had adjourned the above Writ Petition so as to enable the learned counsel for the Respondent - MCGM to take instructions in the matter of providing the documents that the Petitioner is seeking under the Right to Information Act. The learned counsel for the Respondent – MCGM Ms. K H Mastakar, on instructions, states that the MCGM is ready to furnish the documents which are available with MCGM if the Petitioner complies with the condition of deposit of the said amount of Rs.11,340/- which has been communicated to him vide the said letter dated 13/08/2015. Upon this, the learned counsel for the Petitioner, on instructions of the Petitioner who is personally present in Court, states that the Petitioner would comply with the said requirement of the letter dated 13/08/2015.

4 In view of the statement of the learned counsel for the Respondent – MCGM Ms. K H Mastakar, as aforesaid, we direct the Respondent – MCGM to furnish the documents in respect of which the deposit by way of amount of Rs.11,340/- has been sought from the Petitioner. On such deposit the Respondent – MCGM would furnish the said documents to the Petitioner within two weeks of the deposit of the said amount of Rs.11,340/-. The Colony Officer, G/Souch Ward of MCGM Shri H N Zade is personally present in

Court who is made aware of passing of the instant order. With the directions as aforesaid, the above Writ Petition is disposed of.

[NITIN W. SAMBRE, J]

[R. M. SAVANT, J]