

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8212 OF 2018

Prakash C.Sheth

... Petitioner

Versus

State of Maharashtra and Ors.

... Respondents

Mr.Rahul Kadam for the Petitioner.

Mr.P.G.Sawant, AGP for Respondent Nos. 1 to 3.

CORAM : AKIL KURESHI &

S.J. KATHAWALLA, JJ.

DATE : 25TH JUNE, 2019

P.C.:

1. The Petitioner has challenged an Order dated 15th / 16th March, 2018 passed by Respondent No. 2 - State Information Commissioner.
2. Briefly stated the facts are that the Petitioner had filed an Application dated 26th May, 2017 under the Right to Information Act, 2005 ('the RTI Act' for short) calling upon the Public Information Officer of Azad Maidan Police Station, Mumbai to supply certain information. The Petitioner's Application failed and thereupon he filed Appeal. His Appeal was also not allowed. The Petitioner thereafter made a complaint dated 16th January, 2018 to Respondent No. 2 under Section 18 of the RTI Act contending that the Application for grant of information was not decided within 30 days and that therefore penalty may be imposed and further that the wrong information having been supplied, action under Section 20 of the Act may be initiated.

By the impugned order, this request came to be turned down.

2. Having heard the learned Advocates appearing for the parties, we do not find any reason to interfere. Firstly, the Petitioner's Application for information under the RTI Act was not unduly long. Further the Application for information was itself was filed more than one year after the date of the event and it was conveyed to the Petitioner that CCTV footage of the police station cannot be supplied because the same is maintained only for a period of two days. The grievance of the Petitioner is that in an Affidavit, which was filed before the First Appellate Authority, the Information Officer had contended that the CCTV footage is maintained for a period of five days. If at all, this discrepancy arose out of inadvertent error. It was neither intentional nor amounting to supply the information, which was incorrect. In any case, as noted the Application of the Petitioner for supply of CCTV footage was filed nearly after one year. In the result, the Petition is dismissed.

(S.J.KATHAWALLA, J.)

(AKIL KURESHI, J.)