

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No.4907 of 2010**

S.D. Bind, S/o Shri Shiv Bhushan Bind, aged about 49 years, R/o Type V/1, New Rajendra Nagar, Telephone Exchange Officers Colony, Raipur (CG)
---- Petitioner

Versus

1. Union Of India, Through The Secretary, Department of Telecommunication, Sanchar Bhawan, Ashoka Road, New Delhi
2. Union of India, Through Secretary, Ministry of Home Affairs, North Block Central Secretariat, New Delhi
3. State of Chhattisgarh Through the Secretary, Department of Home Affairs, Mantralaya, DKS Bhawan Raipur (CG)
4. Bharat Sanchar Nigam Limited, through Chairman-cum-Managing Director, BSNL Corporation Office, Harish Chandra Mathur Lane, Janpath, New Delhi
5. The Chief General Manager, Chhattisgarh Telephone Circle, Khamardih, Vidhan Sabha Road, Raipur (CG)
6. Ram Yagya, Chief General Manager, R/o Type VI/1, New Rajendra Nagar, Telephone Exchange Officers Colony, Raipur (CG)

---- Respondents

And**WPC No.5021 of 2010**

Rajesh Thakur, S/o Late I.B. Thakur, A/A 56 years, R/o 201, GT Heights, Shankar Nagar, Raipur, Tahsil and District Raipur (CG)

---- Petitioner

Versus

1. Union Of India, Through The Secretary, Department of Telecommunication, Sanchar Bhawan, Ashoka Road, New Delhi
2. Union of India, Through Secretary, Ministry of Home Affairs, North Block Central Secretariat, New Delhi
3. State of Chhattisgarh Through the Secretary, Department of Home Affairs, Mantralaya, DKS Bhawan Raipur (CG)
4. Bharat Sanchar Nigam Limited, through Chairman-cum-Managing Director, BSNL Corporation Office, Harish Chandra Mathur Lane,

Janpath, New Delhi

5. The Chief General Manager, Chhattisgarh Telephone Circle, Khamardih, Vidhan Sabha Road, Raipur (CG)
6. Ram Yagya, Chief General Manager, R/o Type 6/1, New Rajendra Nagar, Telephone Exchange Officers Colony, Raipur (CG)

--- Respondents

For Petitioners	:	Mr. Anumeh Shrivastava, Advocate
For Respondents	:	Mr. A.K. Prasad, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

20/02/2020

Heard.

1. These two writ petitions are being disposed off by a common order on common issue based on similar facts for consideration of this Court.
2. The petitioner in WPC No.5021 of 2010 is a journalist and is aggrieved by letter written by respondent No.6, the Chief General Manager in BSNL, who, vide an internal correspondence dated 19.07.2010 (Annexure P/1), requested the competent authorities to provide call details of the telephone numbers with effect from April, 2010 to June, 2010. The mobile and telephone numbers whose details were sought are that of the petitioner.
3. According to the petitioner, respondent No.6, acting vindictively to cause harm and damage to the petitioner, sought to retrieve and collect personal information in the shape of call details of the mobile phone and the telephone of petitioner, who is a journalist and was involved in his work of unearthing the illegal activity of respondent No.6, a public authority and coming out with material regarding misuse and abuse of public power. It has been the case of the petitioner that it was not within the authority of respondents No.1 to 4 to disseminate and divulge any information with regard to call details of the petitioner, to respondent No.6.
4. The other writ petition has been filed by an Officer of the BSNL, who is alleged to be hand in glove with writ petitioner of the other writ petition and

respondent No.6 had sought his call details also. He has also filed petition raising similar grievance as the petitioner in the other petition.

5. In WPC No.5021 of 2010, the petitioner was protected by an interim order passed on 10.09.2010 that no further steps, dealing with details of mobile of the petitioner shall be taken till the next date of hearing, which interim order continuous, till date.

6. Mr. Prasad, learned counsel appearing for respondent/BSNL would today submit that pursuant to the request sent by respondent No.6, neither information have been disseminated nor respondents intend to disseminate or divulge any information to respondent No.6, who since stands retired from service. He would submit that placing on record the said submission, this petition may be disposed off. He would also submit that as far as the other writ petition is concerned, there also communication which were made by respondent No.6 have not been executed in view of interim order which was already passed by this Court in WPC No.5021/2010 and there also, respondent/BSNL do not intend to divulge any information with regard to call details of writ petitioner in WPC No.4907 of 2010.

7. In view of the fact that there was an interim order passed on 10.09.2010 in WPC No.5021/2010 and in view of the interim restrain order, no action was taken by BSNL on the requisition given by respondent No.6 towards divulging the call details of the petitioner in the two writ petitions and that today, learned counsel for respondent/BSNL submits that no information would be divulged on the basis of requisition letter given by respondent No.6, this petition need not remain pending anymore.

8. Both the writ petitions are accordingly disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge