

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WRIT PETITION (C) NO. 343 OF 2017**

Smt. Bhagwati Kashyap, W/o Shri Pradhuman Kashyap, aged about 40 years, R/o Pondi Racha, Post Godhna, Tahsil Navagarh, Police Station Navagarh, Civil & Revenue District Janjgir-Champa (CG)

**... Petitioner**

**versus**

1. State of Chhattisgarh, through its Secretary, Panchayat and Rural Development Department, Mantralaya, Capital Complex, Mahanadi Bhawan, New Raipur (CG)
2. The State Information Commissioner (Second Appellate Authority under R.T.I. Act) Raipur (CG)
3. Chief Executive Officer, Jila Panchayat Janjgir-Champa (First Appellate Authority under R.T.I. Act) District Janjgir-Champa (CG)
4. Chief Executive Officer, Janpad Panchayat Navagarh (Public Information Officer), District Janjgir-Champa (CG)

**... Respondents**

---

|                      |   |                                                                           |
|----------------------|---|---------------------------------------------------------------------------|
| For Petitioner       | : | Mr. B.S. Rajput, Advocate                                                 |
| For Respondents No.4 | : | Mr. V.B. Soni, Advocate, under instructions of Mr. R.S. Baghel, Advocate. |

---

**Hon'ble Shri Justice P. Sam Koshy**

**Order on Board**

**27/01/2020**

1. The present writ petition has been filed seeking a direction to the respondents to provide the information sought by the petitioner vide his application dated 14.3.2016 under the Right to Information Act, 2005. The further claim of the petitioner also is for imposing of penalty under Section 20 of the said Act for the unnecessary delay in the releasing of the information.
2. From the submission that the counsel for the petitioner has made, it appears that the petitioner after his application to respondent no.4 i.e. the Public Information Officer had approached the respondent no.3 i.e. the First Appellate Authority vide his appeal dated 28.4.2016. The First Appellate Authority vide his order dated 23.6.2016 had directed the respondent no.4 to provide necessary information within seven days. It is alleged that there is a non-compliance of this order.
3. From the pleading, it further reveals that the petitioner had subsequently approached the respondent no.2 i.e. the Second Appellate Authority by way of a second appeal which till date is pending consideration and no final decision has been taken on it or at-least the petitioner has not been informed about the same.

4. Given the aforesaid factual matrix of the case, once when the petitioner submits that his second appeal is pending consideration before respondent no.2, this Court is not inclined to entertain the present writ petition at this juncture, rather, ends of justice would meet if the writ petition itself is disposed of with a direction to respondent no.2 to consider and decide the second appeal of the petitioner, if not decided till now, at the earliest, within a period of 90 days from the date of receipt of copy of this order.

5. With the aforesaid direction, the writ petition stands disposed of.

Sd/-  
**(P. Sam Koshy)**  
**Judge**

/Sharad/