

HIGH COURT OF CHHATTISGARH AT BILASPUR**WP(C) No. 1412 of 2020**

1. Uttam Kumar Kothari @ Uttam Chand Kothari S/o. Shri Gangu Ram Kothari, Aged About 49 Years R/o. Village Khairwahi, Post- Narrotola, Block Daundi, Police Station Daundi, Tahsil And District Balod Chhattisgarh

---- Petitioner**Versus**

1. Through The Secretary, Chhattisgarh State Information Commission Sector-19, North Block Nava Raipur, Chhattisgarh
2. The Chief Information Commission, Chhattisgarh State Information Commission Sector-19, North Block Nava Raipur Chhattisgarh,
3. Akhil Bharatiya Halba Aadiwasi Samaj, Kshetriya Mahasabha Mukhyalaya (Badgaon), Balod Chhattisgarh
4. The President, Akhil Bharatiya Halba Aadiwasi Samaj, Kshetriya Mahasabha Mukhyalaya (Badgaon), Balod Chhattisgarh,

---- Respondents

For Petitioner	:	Mr. Love Kumar Ramteke, Advocate.
For State	:	Mr. Jitendra Pali, Dy. A.G
For Resp.No. 2.	:	Mr. Shyam Techchandani

Hon'ble Shri Justice P. Sam Koshy**Order on Board****06/08/2020**

1. The petitioner through present writ petition is claiming for following relief:-

“10.2 That, this Hon'ble Court may kindly issue a writ of Mandamus directing the respondent authority to take the action under the Right to Information Act, 2005, compliance appellate commission order (Annexure P/1)

10.3 That, the order the compensation to fulfill the mental, physical and financial loss suffered by the petitioner.”

2. Prima facie this Court is of the opinion that, the writ petition would not be maintainable for the reasons that the primary relief which the petitioner is seeking in the present writ petition is for the execution of an order that has been passed by the Chhattisgarh State Information Commission. That too an order which has been passed around 11 years back i.e. on 09.06.2020. Firstly, the High Court is not the executing agency for orders passed by the Commission and secondly,

there is an inordinate delay on the part of the petitioner in approaching the Court.

3. Moreover since there is already an order of the Commission, and if there is non-compliance of the same, it is the same Commission which has to take an appropriate action on an application to be filed by the petitioner.
4. Subject to the petitioner approaching the Commission, appropriate steps in accordance with law it is expected to be decided by the Commission in accordance to law.
5. The writ petition thus being not sustainable stands rejected.

Sd/-

(P. Sam Koshy)
Judge

Jyotijha