IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Special Appeal No.292 of 2020

Birendra Singh Rawat .....Appellant

Vs.

Public Information Officer/Village Panchayat Development Officer, Block Development Officer, Block-Jaiharikhal, District Pauri Garhwal and others

…..Respondents

Shri M.S. Bhandari, learned counsel for the appellant.
Shri Suyash Pant, learned standing counsel for the respondent nos. 1 & 2.

17th December, 2020

Coram : Hon'ble Ravi Malimath, A.C.J.
Hon'ble Alok Kumar Verma, J.

Ravi Malimath, A.C.J. (Oral)

Aggrieved by the order dated 27.10.2020 passed by the learned Single Judge in Writ Petition no. 1853 of 2018 (M/S) in disposing off the writ petition on certain directions, the petitioner is in appeal.

2. The petitioner's application seeking for certain information is pending consideration before the authority under the Right to Information Act, 2005. Since the same

is not being granted and the matter is still pending consideration, the instant writ petition was filed. The learned Single Judge came to view that having regard to the scheme of the Right to Information Act, the relief as claimed cannot be granted.

3. However, keeping in mind that the petitioner is not being supplied any information, the writ petition is disposed off with a liberty to approach the State Information Commissioner by filing an appropriate, application etc.

4. On considering the reasons assigned, we are of the considered view that the learned Single Judge has been extremely considerate to the case of the petitioner. Even though the writ petition itself was not maintainable, relief has been granted to him. Hence, we find no good ground to interfere with the order dated 27.10.2020 passed by the learned Single Judge and the appeal is dismissed.

(Alok Kumar Verma, J.) **(Ravi Malimath, A.C.J.)**

JKJ/SK