

**CWP-10670 of 2020 (O&M)
Date of Decision : 08.02.2021****Umakant Tripathi****... Petitioner****Versus****Kendriya Vidyalya Sangathan & Ors.****... Respondents****CORAM:- HON'BLE MR. JUSTICE ARUN MONGA****Present: Mr. Umakant Tripathi, petitioner in person.****Mr. Harsh Aggarwal, Advocate
for the respondents.****ARUN MONGA, J(ORAL)**

1. Petitioner, working as a Librarian and also a leader of the Teacher Welfare Association, inter alia, alleges that he is not being provided information sought by him, which he is legally entitled to receive under the Right to Information Act. Impugned thus is an order dated 18.02.2020 passed under RTI Act.

2. In the return, respondents have denied the allegations contained in the writ petition about harassment etc. to the petitioner. Rather the stand is that the petitioner had indulged in indecent behavior with lady staff teacher for which an FIR has been registered against him. Petitioner is also stated to be guilty of misconduct, indiscipline and dereliction in duties.

3. Be that as it may, it is not relevant to advert to the rival contentions in the pleadings since there is merit in the respondents' objection qua the maintainability of the instant writ petition.

4. Concededly, first appeal filed by the petitioner against denial of information has been decided by the competent authority on 04.03.2020. Petitioner, if aggrieved qua the same, can approach Chief Information Commissioner under Section 19 of the Act *ibid*.
5. No interference is thus warranted in exercise of jurisdiction under Articles 226/227 of the Constitution.
6. Instant writ petition is accordingly dismissed with a liberty to the petitioner to avail his permissible remedy under the Right to Information Act, 2005.

February 08, 2021
Jiten

(ARUN MONGA)
JUDGE

1. Whether speaking/ reasoned: Yes/ No
2. Whether reportable: Yes/ No