

Pallavi

PALLAVI
MAHENDRA
WARGAONKAR

Digitally signed by
PALLAVI MAHENDRA
WARGAONKAR
Date: 2022.10.10
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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.1166 OF 2015

Bharatiya Jain Sanghatana

...Petitioner

Versus

The Information Commissioner and Anr

...Respondents

Mr. V.R. Kasle, for the Petitioner.

Mr. P.P. Pujari, for Respondents.

CORAM : MADHAV J. JAMDAR, J.

DATE : 7th OCTOBER, 2022

PC. :

1. Learned counsel for Petitioner, at the outset, points out the order dated 21st December 2015 passed by this Court in Writ Petition No.11296 of 2012 with Writ Petition No.391 of 2013. He states that the Respondent No.2 has agreed to withdraw RTI Appeal/Application No.3215 of 2011 as well as RTI Application/ Appeal No.800 of 2012. He states that the orders passed in said Appeal/Applications are impugned in the present Petition. He submits that in view of the order dated 21st December 2015 the Petition be disposed of and in case the Respondent No.2 fails to withdraw the said RTI Applications/Appeals, then liberty be granted to file a fresh petition. The relevant portion of the order dated 21st December 2015 passed by this Court is reproduced hereinbelow:

“Further, Dr. Kankariya agrees and undertakes to withdraw and/or compromise the under mentioned proceedings in terms of the agreement reached by and between the contesting parties which is recorded in this order. The proceedings are as follows :

- I) Contempt Application No. 9 of 2012, pending before University Tribunal, Pune;
- II) RTI Application No.3215 of 2011 filed before RTI Commissioner, Pune;
- III) RTI Application No. 800 of 2012 filed before RTI Commissioner, Pune;
- IV) Criminal Application No. 1174 of 2012 pending before Judicial Magistrate, Pimpri, Pune (present compromise to be filed as compromise pursis/consent term before the learned J.M.F.C., Pimpri, for appropriate orders of dismissal/ disposal).

- 5] The impugned orders stand modified in accordance with the terms as aforesaid to be construed along with the letter dated 7 August 2015.”

2. In view of the order dated 21st December 2015 passed by this Court in Writ Petition No.11296 of 2012 with Writ Petition No.391 of 2013, the present petition is disposed of as the petition has become infructuous, in view of withdrawal of Appeal/Application No.3215 of 2011 and Appeal/Application No.800 of 2012. However, if the Respondent No.2 fails to comply with the aforesaid order dated 21st December 2015 passed by this Court then the Petitioner is at liberty to file a fresh petition in addition to other remedy, if any.

3. Writ Petition is disposed of in above terms with no order as to cost.

(MADHAV J. JAMDAR, J.)