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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3787 OF 2022**

Sunil Lakhani ...Petitioner
Versus
The State of Maharashtra & Ors ...Respondents

Ms VV Thorat, with Aditi S Naikare, for the Petitioner.
Mr SS Panchpor, AGP, for the Respondent-State.

**CORAM G.S. Patel &
 Madhav J. Jamdar, JJ.**
DATED: 7th April 2022

PC:-

1. Rule.
2. In view of the narrow issue we make Rule returnable forthwith and take up the matter for hearing and final disposal.
3. The 5th Respondent have been served through RPAD. The Affidavit of Service will be filed within one week from today.
4. The Petition assails an order passed by the State Information Commissioner, Konkan Division (the 3rd Respondent) on 13th April 2018 in a second appeal filed by the 5th Respondent.

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5. The 5th Respondent and the Petitioner are distantly related. The 5th Respondent first filed an RTI Application before the Public Information Officer on 29th May 2017 seeking information regarding the 2nd Respondent society. There is no quarrel with that application. At page 37 at Exhibit “B” there is an order in a second appeal of 13th April 2018. This also is not problematic.

6. On 16th August 2018, the 5th Respondent wrote to the Administrator of the 2nd Respondent society seeking documents in respect of five individuals flats and other individual information. On 20th April 2019, the 5th Respondent seems to have repeated this request. The impugned order directs that the information as requested by the 5th Respondent be supplied. The reference here includes a reference to the 5th Respondent’s subsequent letter of 20th April 2019 and another letter of 22nd May 2019. Neither of these letters of 5th Respondent are part of the original RTI query.

7. We do not see how authorities under the RTI Act can direct disclosures on the basis of subsequent correspondence that is not part of the RTI application.

8. It further seems that the authority under the Maharashtra Cooperative Societies Act directed compliance with the State Information Commissioner’s order in the second appeal. But the State Information Commissioner’s order has to be restricted to the application under the RTI Act. It cannot extend to any subsequent correspondence or any demands made in subsequent letters.

9. Consequently, the direction at Exhibit “F” at pages 46 and 47 of 14th October 2019 and the 14th March 2022 communication at page 49 cannot extend to subsequent correspondence including the 5th Respondent’s letters of 16th August 2018 and 20th April 2019 or any letters or demands beyond the original RTI application.

10. The reason is self-evident. None of the RTI authorities have jurisdiction to order such disclosure, and the authorities under the Maharashtra Cooperative Societies Act cannot direct a disclosure under the RTI Act.

11. So far as the queries in the original RTI application of 29th May 2017, these are said to have been furnished. This is noted.

12. These directions are sufficient to dispose of the Writ Petition. There will be no order as to costs.

(Madhav J. Jamdar, J)

(G. S. Patel, J)