

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 2703 OF 2020

Laxman Narsaya Bura

.. Petitioner

Versus

1. The State of Maharashtra
Through its Principal Secretary,
Mantralaya, Mumbai.
2. The State Information Commissioner, Nasik.
3. The Charity Commissioner, Ahemadnagar. .. Respondents

Mr. Amol A. Kokad, Advocate for the Petitioner.
Smt. D. S. Jape, AGP for Respondent Nos. 1 & 3.

CORAM : KISHORE C. SANT, J.

DATED : 19th AUGUST, 2023.

P C. :-

. The petition is only in respect of challenging the order passed by the second appellate authority rejecting his appeal, consequently, not issuing direction to supply the information as sought by the petitioner. The petitioner wants the information about the appearance of a particular advocate before the Assistant Charity Commissioner from the period 06.04.2017 to 10.04.2017. The learned Information Officer from the Charity Commissioner's office, Ahmednagar issued communication and asked for the particulars of the case numbers in

which the learned advocate appeared. The petitioner could not supply the said information. Ultimately, the application came to be rejected. Since the information was not supplied, the petitioner filed first appeal. The said appeal came to be rejected stating that the petitioner is not asking for any specific information, but wants the Information Officer to create the information and supply it to the same and rejected the appeal. It is also stated that, the information which is already available can be supplied, however, no information which requires some exercise can be supplied. The petitioner therefore, filed second appeal before the Information Commissioner, Bench at Nashik. The Information Commissioner also recorded that the said information is not available. Some exercise needs to be undertaken and to collect the information as required and rejected the appeal.

2. Learned advocate for the petitioner could not show as to how the reasoning is illegal or not correct. Repeatedly he kept on saying that, it was the duty of the authorities to collect whatever information is requested by the petitioner. He submits that, once the application is filed by any person seeking information, it is for those authorities to consider as to how to collect the information and to supply the same.

3. This Court finds that, such argument cannot be accepted. It is seen that, though the Information Officer had requested the petitioner

to give specific case number so that information can be given, the petitioner has not done so. This Court has also seen the say filed by the petitioner before the Information Commissioner. The said say also not satisfactorily worded. He has even expressed doubt about the competence of the Judicial Officer i.e. Assistant Charity Commissioner who happens to be first appellate authority.

4. Thus, this Court finds that, the petitioner is not entitled to seek any relief by filing writ petition even looking at his conduct. Needless to say that, the petitioner has also failed to make out a case for causing interference at the hands of this Court.

5. Therefore, the writ petition stands dismissed.

(KISHORE C. SANT, J.)

PS.B.