



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

WRIT PETITION (WP) NO.593 OF 2020

- 1) Public Information Officer and Headmaster, Shree Sakharam Maharaj Vidyalaya, Loni (Bk), Tq. Risod, Distt. Washim, namely Kalyan S/o Balkrishna Joshi, Aged about 40 years, R/o Loni (Bk), Tq. Risod, Distt. Washim.

.... Petitioner(s)

// VERSUS //

- 1) State Information Commission, Amravati Bench, Amravati.
- 2) Education Officer (Secondary), Zilla Parishad, Washim.
- 3) Ankushdada Ramchandrarao Deshmukh, Aged Major, Occu. Not Known, R/o Karda, Post Mothegaon, Tq. Risod, Distt. Washim.

... Respondent(s)

Shri P.A. Deshpande, h/f Shri R.L. Khapre, Sr. Advocate for the Petitioner/s

Shri D.P. Thakare, Addl.G.P. for the Respondent No.2/State

**CORAM : ANIL S. KILOR, J.
DATED : 09.10.2023**

ORAL JUDGMENT :

1. Heard learned counsel for the petitioner and the learned Addl. G.P. for the State. None for the respondent Nos.1 and 3, though served.

2. **Rule.** Rule made returnable forthwith. Heard finally by consent by the parties.

3. The respondent No.3 applied under the Right to Information Act for certain information relating to S.B. Bodkhe, R.R. Sawle, M.T. Ganjre, S.M. Takle, D.G. Gite, K.J. Raut, who are employees of the Aadharsh Shikshan Sanstha and thereby, sought documents namely, Advertisement for employment, Appointment orders, orders of approval along with the Roster.

4. Admittedly, the respondent No.3 is not an employee of the said Society or no way connected with the Society. Even there is nothing to show that the information sought by the respondent No.3 is in public interest or for public purpose. Despite this, the State Information Commission, Amravati contrary to Section 8 of the Right to information Act and without going into the issue, whether the information sought by the respondent No.3 is in

public interest or for public purpose, allowed the Second Appeal and directed to the Education Officer to provide the information to the respondent No.3 and thereby, committed error in allowing the Appeal. Accordingly, I pass the following order:

- (i) The writ petition is **allowed**.
- (ii) The order dated 18.03.2019 passed by State Information Commission, Amravati, is hereby quashed and set aside.

Rule accordingly. No costs.

[ANIL S. KILOR, J.]