



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR.**

**WRIT PETITION NO. 3577 OF 2019**

**(Laxman s/o Vishram Surduse Vs. State Information Commissioner, Maharashtra State,  
Bench at Nagpur & Anr.)**

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's Orders.

Court's or Judge's orders.

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Mr. N.D. Khamborkar, Counsel for the petitioner.  
Mr. A.A. Madiwale, A.G.P. for respondent no.1/State.

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**CORAM : ANIL L. PANSARE, J.**  
**NOVEMBER 26, 2024**

The petitioner – Headmaster of Jan Mahiti Adhikar Gramin Vikas Vidyalaya, Salva, Taluka – Ramtek, District – Nagpur, is aggrieved by order dated 13/3/2019 passed by respondent no.1 – State Information Commissioner, Bench at Nagpur, in Appeal Nos. 1795/2018 and 1796/2018, directing the petitioner to supply documents as sought by respondent no.2 herein.

2] Respondent no.2 had sought aadhaar card, record and approval order issued by the Education Officer for appointment of one Mr. R.R. Motghare, who was appointed as an Assistant Teacher. The Public Information Officer and the State Public Information Officer refused to supply information on the ground that no specific reason has been given for seeking information, and the information sought is exempted under Section 8 of the Right to Information Act, 2005 (for short “Act of 2005”). According to the State Public Information Officer, the information sought relates to third party and that

respondent no.2 has not disclosed as to how the larger public interest warrants disclosure of such information.

3] This finding has been upset by the second appellate authority, i.e., the State Information Commission on the ground that under the provisions of the Act of 2005, the applicant is not required to assign reasons for seeking information. However, the State Information Commission has not delved upon requirement of the larger public interest to seek information relating to third party, as envisaged under Section 8(j) of the Act of 2005.

4] Respondent no.2 has, in a way, sought blanket information of the students, when he seeks aadhaar card of each student as also record and in addition, copy of approval order issued by education department approving the appointment of Mr. R.R. Motghare as an Assistant Teacher. This information indeed relates to personal information and would require satisfaction of the authorities below that the information so sought is in the larger public interest. Respondent no.2 neither disclosed the larger public interest nor is he present before the Court to counter the submissions made by the petitioner and, thus, in my considered view, respondent no.1 committed error of law in upsetting the order passed by the Public Information Officer and the State Public Information Officer. The order impugned is, therefore, unsustainable.

5] The writ petition is accordingly allowed. Order dated 13/3/2019 passed by respondent no.1 –

State Information Commissioner, Bench at Nagpur, in Appeal Nos. 1795/2018 and 1796/2018, is quashed and set aside. No order as to costs.

**(ANIL L. PANSARE, J.)**

Sumit