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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 1175/2019**

C. S. AHLUWALIA

..... Petitioner

Through: Dr. Amit George, Mr Arkaniel
Bhaumik, Ms. Suparna Jain and Mr.
Adhishwar Suri, Advocates.

versus

CENTRAL INFORMATION COMMISSION AND ANR.

..... Respondents

Through: Mr. Avishkar Singhvi, Mr. Azeem
Samnel, Mr. Amit Kumar Mishra,
Ms. Mitakshara Goyal, Mr. Shubham
Kumar and Mr. Akhil Kulshrestha,
Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

15.05.2024

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1. On 10.04.2023 this Court passed the following order:

“1. This hearing has been done through hybrid mode.

2. Ld. counsel for the Respondent No.2 - Air India submits that the present writ petition is no longer maintainable. However, the Court notices that the present petition was filed in 2019 wherein records relating to the Petitioner were sought. In paragraph 5 of the counter affidavit the nature of the documents which are described as M-10 and M-11, has been explained in detail. Such details may not have been available without the document being available. Thus, let a specific stand be taken as to whether the said documents, in original or in copy, are available with



Respondent No.2 or not.

3. On the next date, the issue of maintainability shall also be considered.

4. List on 5th October, 2023.”

2. The documents described as M-10 and M-11 were handed over by the learned Counsel for the Respondent to the Petitioner yesterday and the matter was adjourned for today.

3. Let the documents be filed and placed on record.

4. Today, it is stated by the learned Counsel for the Petitioner that the documents handed over by the learned Counsel for the Respondent is not what the Petitioner has sought under the Right to Information Act, 2005.

5. As far as the present Writ Petition is concerned, this Court is only concerned with implementation of the Order. The fact as to whether the documents handed over by the learned Counsel for the Respondent is the one which was sought for by the Petitioner or not will be decided by the Central Information Commission.

6. Accordingly, the present Writ Petition is disposed of with liberty to the Petitioner to approach the CIC raising his grievance that incorrect documents have been provided to him under the RTI Act.

7. Pending applications, if any, also stand disposed of.

SUBRAMONIUM PRASAD, J

MAY 15, 2024

Rahul