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

+ **W.P.(C) 8911/2023, CM APPL. 33694-33695/2023**

PARMOD KUMAR

.....Petitioner

Through: Mr. Anurag Tiwary, Mr. Pururaj
Aggarwal, Advocates

versus

CPIO, CENTRAL INFORMATION COMMISSION AND ORS.

.....Respondents

Through: Mr. Shekhar Vyas, Ms. Neha Warriar,
Advocates for CIC
Mr. Krishan Kumar, Mr. Seemant K.
Garg, Mr. Nitin Pal, Mr. R.K Sinha,
Advocates for R-3 & R-4
Mr. Santosh Kumar Rout, SC of
Indian Bank with Ms. Dharma
Veragi, Mr. B.N Mishra, Advocates
for R-5

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

12.12.2024

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1. The instant petition seeks the following reliefs:

"I. Issue an appropriate writ, order or direction, specially a writ in the nature of Certiorari, directing the Central Information Commission to immediately hear and dispose of the appeals filed by the petitioner against the order of the first appellate authority dismissing the appeals against the replies of the Central Public Information Officer (CPIO) to the RTI applications filed by the petitioner.

II. It is further prayed that this Hon'ble Court may be pleased to issue an appropriate writ, order or direction, specially a writ in the nature of Certiorari directing the Respondent no. 2-5 to provide the present and in-



force OTS policy to the petitioner based on which the petitioner's OTS proposal was rejected vide letter dated 06-12-2022.

III. It is further prayed that this Hon'ble Court may be pleased to issue an appropriate writ, order or direction, specially a writ in the nature of Certiorari directing the respondent no. 2-5 to stay the recovery proceedings until the appeal filed by the petitioner before the CIC is disposed of.

IV. It is further prayed that this Hon'ble Court may be pleased to issue any other appropriate writ, order or direction which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case, in the interest of justice, equity and good conscience."

2. On 06th October, 2023, this Court passed the following directions:

"1. The Petitioner has approached this Court for a direction to the Respondent No.1/Central Information Commission (CIC) to dispose of the appeal preferred by the Petitioner against the Order of the First Appellate Authority affirming the Order of CPIO.

2. This Court on 06.07.2023 had requested the Respondent No.1/CIC to dispose of the appeal preferred by the Petitioner as early as possible, preferably before the next date of hearing.

3. It is stated by the learned Counsel for the Petitioner that the appeal has yet not been disposed of by the Respondent No.1/CIC.

4. Issue notice to Respondent No.1/CIC limited to the question of disposing of the appeal preferred by the Petitioner before Respondent No.1.

5. It is expected that Respondent No.1/CIC would be represented by a Counsel on the next date of hearing with instructions regarding the progress in the appeal preferred by the Petitioner.

6. List on 01.03.2024."

3. In compliance, the Central Information Commission¹ has issued the status report in the form of an affidavit, which reads as follows:

"STATUS REPORT BY WAY OF SHORT AFFIDAVIT ON BEHALF OF THE RESPONDENT NO. 1

I, Suman Bala, w/o Ravi Kumar, age 45 years presently posted as Deputy Secretary/Deputy Registrar do hereby solemnly affirm and declare as under:-

1. That I am working with the answering Respondent, Central Information Commission. I have been authorized to depose the present affidavit. I, being conversant with the facts of the case, as brought out

¹ "CIC"



from the records, am competent to depose the present affidavit, in my official capacity.

2. That this status report is being filed in compliance of the Order of this Hon'ble Court dated 06.10.2023.

3. That it is kindly submitted that Second Appeal No. CIC/UCOBK/A/2023/114376, Second Appeal No. CIC/IBANK/A/2023/113217, Second Appeal No. CIC/IOVBK/A/2023/114375 and Second Appeal No. CIC/CANBK/A/2023/114783 has already been decided and disposed of by the answering Respondent on 31.10.2023.

The copy of the Orders dated 31.10.2023 is annexed as ANNEXURE-1.

4. That in the Orders dated 31.10.2023, the answering Respondent held that -

"In the light of the legal position propounded by the Hon'ble Supreme Court, this Commission hereby directs the Respondent to furnish the restructuring/OTS policy to the Appellant, as per the provisions of the RTI Act, within two weeks of the receipt of this Order. The disclosure of the OTS Policy is specific to the facts and circumstances of this case and may not be treated as a precedent. With the above observations and directions, this appeal is decided accordingly.

5. That limited prayer has been addressed in the present Status report and that the answering Respondent respectfully requests this Hon'ble Court for the liberty to file a detailed reply at a later stage of the proceedings, if any."

4. A copy of the afore-noted affidavit has been handed over across the Board and is taken on record.

5. Since the appeals pending before the CIC have been decided, the reliefs sought by the Petitioner stands redressed and no further directions are required.

6. Accordingly, the present petition, along with pending applications, is disposed of.

SANJEEV NARULA, J

DECEMBER 12, 2024/ab