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

+ **W.P.(C) 7213/2020, CM APPL. 6419/2021 & CM APPL. 6431/2021**

PRASHANT REDDY T

.....Petitioner

Through: **Mr. Harsh Parashar and Mr.
Chanakya Sharma, Advocates**

versus

DRUGS CONTROLLER GENERAL OF INDIA & ORS.

.....Respondents

Through: **Mr. Rahul Sharma, CGSC with Mr.
Ayush Bhatt and Mr. Harsh Rao,
Advocates.**

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

28.08.2024

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1. The present proceedings arise out of an RTI application filed by the Petitioner which ultimately travelled up to Central Information Commission¹, whereby, through order dated 26th May, 2020 the CIC directed Respondents No. 2 and 3 to *inter-alia* provide the Petitioner with a certified copy of Mahapatra Committee Report along with all annexures and also to take steps for digitization of their records as a Public Authority.
2. The Petitioner has received a copy of the Mahapatra Committee Report with Annexures 1, 2 and 6. However, Annexures 3, 4 and 5 have not been provided to them. In this regard, this Court on 8th July, 2022 made the following observations:

¹ "CIC"



“Post the filing of the Status Note in compliance of the order dated 17 February 2021, learned counsel appearing for the respondents apprises the Court that the Mahapatra Committee report as well as Annexures-1, 2 and 6 thereof have been duly re-constructed and are available with the respondents. It is further pointed that although a copy of the report thereof has been forwarded and provided to the petitioner, Annexures-1, 2 and 6 thereof shall be placed on the record along with an affidavit. Learned counsel on instructions further states that Annexures-3, 4 and 5 of that report despite due enquiry and efforts having been expended could not be traced out.

Let the aforesaid facts be also stated on the affidavit which is proposed to be filed. The aforesaid affidavit be filed within a period of six weeks from today.

List again on 06.12.2022.”

3. In compliance of the above directions, an affidavit dated 12th January, 2024 has been filed by the Respondents, wherein they have stated that despite due enquiries and efforts to locate the missing documents, Annexures 3, 4 and 5 of T.M. Mahapatra Committee Report could not be traced out.
4. In light of the foregoing, since Respondents are unable to locate the missing documents, due to poor record keeping, unfortunately, no further can be passed in the present matter. It is, however, made clear that the Petitioner shall be entitled to take recourse to all legal remedies as available under law, as regards the consequences of non-availability of the Annexures mentioned above.
5. Accordingly, the present writ petition is disposed of along with pending application(s).

SANJEEV NARULA, J

AUGUST 28, 2024/ab