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

+ **W.P.(C) 7928/2024**

DEEPAK KUMAR

..... Petitioner

Through: Mr.Vivek Kumar Tandon and Ms.
Prerna Tandon, Advocates with
Petitioner in-person.

versus

CPIO & ANR.

..... Respondents

Through: Mr. Anupam S. Sharrma, SPP with
Mr. Prakash Airan, Ms. Harpreet
Kalsi, Mr. Ripu Daman Sharma, Mr.
Abhishek Batra, Mr. Syamantak
Modgill and Mr. Vashisht Rao,
Advocates.
Ms. Mehak Nakra, ASC with Ms.
Aditi Kapoor and Mr. Devansh
Solanki, Advocates for R-2.
ACP Anil Kumar, SI Ravi Dutt, Head
Constable Mukesh, RTI Cell North
District.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

29.05.2024

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CM APPL. 32724/2024 (Exemption)

Allowed, subject to all just exceptions.

W.P.(C) 7928/2024

1. The Petitioner has approached this Court with the following prayers:

*“a) Issue a writ in the nature of certiorari or any other
appropriate writ, order or direction in favour of the
petitioner and against the Respondents, directing the*



Respondents to comply with the order dated 18.04.2023 passed by CIC in letter and spirit.

b) Pass such other further order as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.”

2. Material on record indicates that the Ld. CIC by the Impugned Order dated 18.04.2023 passed the following direction:

“Decision:

In furtherance of the hearing proceedings, the Commission directs Anil Kumar, APIO, O/o ACP North District, Delhi Police to ensure the provision of the relevant documents referred in their reply of 07.07.2022 to the Appellant, free of cost, through their CPIO within 15 days from the date of receipt of this order.

Further, upon a perusal of the replies provided by the CBI and Delhi Police, the Commission finds that appropriate responses have been provided to the Appellant as per the provisions of the RTI Act leaving no further scope of intervention in the matter. Since, the basic premise of the instant appeal(s) has been the inaction of CBI on the complaint of the Appellant which is not an issue that is amenable to the jurisdiction of the Commission under the RTI Act, the Appellant is advised to approach the appropriate forum regarding any further grievance against action/inaction on the averred complaint.”

3. It is stated by the learned Counsel for the Petitioner that the aforesaid direction passed by the Ld. CIC has not been complied with by the Respondents.
4. The remedy of the Petitioner is to approach the Ld. CIC under Section



20 of the RTI Act.

5. Confronted with the aforesaid, the learned Counsel for the Petitioner seeks permission to withdraw the present writ petition with liberty to approach the Ld. CIC by filing an appropriate application under Section 20 of the RTI Act.

6. Permission and liberty, as sought for, are granted.

7. The writ petition is disposed of as withdrawn, along with pending application(s), if any. It is made clear that this Court has not made any observations on the merits of the case.

SUBRAMONIUM PRASAD, J

MAY 29, 2024

S. Zakir