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

+ W.P.(C) 16787/2024 & CM APPL. 71035/2024, CM APPL.  
71036/2024, CM APPL. 71037/2024  
CHAND SINGH

.....Petitioner

Through: Mr. Robin Ratnakar David, Mr.  
Sanjay Kumar and Mr. Nihar Baijal,  
Advocates.

versus

PUBLIC INFORMATION OFFICER, SDM (HQ) & ANR.

.....Respondents

Through: Mr. Mohit Bhardwaj, Advocate for R-  
1 & 2.

**CORAM:**  
**HON'BLE MR. JUSTICE SANJEEV NARULA**

**ORDER**  
**05.12.2024**

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1. The Petitioner impugns final order dated 24<sup>th</sup> June, 2024<sup>1</sup> passed by the Central Information Commission<sup>2</sup> on the ground that there is a factual error in the impugned order. The operative portion of the said order reads as follows:

***“Decision:***

*Perusal of the documents submitted by the Noticee- Ms. Namgyal Angmo, IAS, SDM-Kapashera, reveals that the compliance with the previous direction dated 15.05.2024 passed by this bench of the Commission has been done by the then PIO and the relevant documents as requested by the Appellant during the inspection has been furnished to him on 06.06.2024*

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<sup>1</sup> “Impugned order”

<sup>2</sup> “CIC”



*and the Commission upholds the same.*

*The Noticee vide her written explanation dated 10.05.2024, in furtherance to the SCN explained that on the last date i.e. 13.05.2024, she was unable to attend the hearing due to her deployment as Assistant Returning Officer for AC 34 Matiala of the West Delhi Parliamentary Constituency the General Election to the Lok Sabha 2024. In view of the above discussion, the Commission accepts the reply/explanation of the Noticee- Ms. Namgyal Angmo.*

***The show cause notice is hereby dropped, and the matter stands disposed of accordingly.”***

2. As noted above, the CIC observed that the Petitioner received the requested documents on 06<sup>th</sup> June, 2024, and accordingly dropped further action. However, counsel for the Petitioner contends that the documents received on 06<sup>th</sup> June, 2024, pertain to a separate RTI application and do not address the Petitioner’s grievance regarding the RTI application dated 19<sup>th</sup> October, 2022.

3. Upon noticing this error, the Petitioner filed a review application on 28<sup>th</sup> June, 2024. Subsequently, on 29<sup>th</sup> July, 2024, the Petitioner inquired about the status of the review application from the PIO of the Commission and received the following response on 21<sup>st</sup> August, 2024:

*“Sir,*

*I am to refer to RTI application of Shri Chand Singh, which has been registered vide no. CICOM/R/P/24/00310. It has been received through online RTI-MIS from RTI-Cell on 01.08.2024 with a request to provide information sought for by the appellant. The information is as under.*

***2. As per available records, your letter dated 28.06.2024 has been received diarized in CIC vide diary no. 122041 dated 09.07.2024 and the same has been link with with file no. CIC/REVDP/A/2023/113693.***

***3. It is also informed that if you are not satisfied with the above reply, you may file a first appeal under the RTI Act 2005 against the above reply within 30 days of receipt of this letter before Brig. Vipin Chakrawarti, Registrar & First Appellate Authority (FAA), OIC Bhawan, Baba Gangnath Marg, Munirka, New Deini-110067.”***

**[Emphasis Supplied]**



4. The aforementioned response indicates that Petitioner's review application has been diarised and no final decision has been rendered.
5. Thus, without going into the merits of the case, the present petition is disposed of with a direction to the CIC to consider Petitioner's review application dated 28<sup>th</sup> June, 2024 diarised in CIC *vide* diary no. 122041 dated 09<sup>th</sup> July, 2024 and decide the same, in accordance with law, as expeditiously as possible.
6. Pending applications also stand disposed of.

**SANJEEV NARULA, J**

**DECEMBER 5, 2024**

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