

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19466 of 2024

Ruby Devi Wife of Bittu Kumar Resident of Village and P.O.- Nadwan, P.S.-
Dhanarua, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Dept. of General Administration, Government of Bihar, Patna.
3. The Secretary, Dept. of Law and Justice, Government of Bihar, Patna.
4. The State Information Commission, Bihar through its Secretary, 4th Floor, Suchana Bhawan, Bailey Road, Patna.
5. The Registrar General, Patna High Court, Patna.
6. The Registrar, Civil Court Gaya.
7. Purusottam Kumar @ Gholtu Son of Shyam Sunder Singh Resident of Vill and P.O.- Nadawan, District- Patna.
8. Chandra Shekhar Singh @ Chandra Shekhar Sharma Son of Kamleshwar Singh, Resident of Vill- Ahura, P.S.- Naubatpur, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Abhay Kumar Thakur, Advocate
For the Respondent/s	:	Mr. P.K.Shahi, Advocate General

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE PARTHA SARTHY)

2 03-01-2025 Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The petitioner has filed the instant application in
the nature of a public interest litigation for the following
relief(s):

*“I. For issuance of appropriate writ/s,
order/s, direction/s commanding the respondents for
providing the information sought under the Right to*



Information Act (for short RTI Act hereinafter) and further directing the concerned respondents for adhering to the time limit prescribed under the RTI Act and the Rules framed thereunder and for following the direction issued by the Govt. time to time and look into the matter of corruption in the matter of appointment of officials in the judgship in Gaya in Civil Court Gaya in the interest of public at large.

II. For any other relief/reliefs which deem necessary to be passed in the interest of justice for the public at large.”

3. The petitioner who describes himself as a socially spirited person having zeal to serve the society as also an RTI activist filed an application under the RTI Act for obtaining information in the matter of appointment in the Civil Court at Gaya.

4. It transpires from the contents of the writ petition that the petitioner subsequently filed the First Appeal before the First Appellate Authority followed by the Second Appeal before the State Information Commissioner, Bihar, Patna which came to be rejected vide order dated 3.4.2024 on the ground of the same being barred under section 11 of the RTI Act. It is thereafter that the instant public interest litigation has been filed.

5. Having heard learned counsel for the petitioner and having perused the contents of the petition, this Court is of the opinion that the Second Appeal filed by the petitioner having been rejected vide order dated 3.4.2024 passed in Case no.A3104/2022, the remedy available to the petitioner would be



to challenge the said order before the appropriate authority and
not by filing a public interest litigation.

6. The application is dismissed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

Saurabh/-

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