



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 9920 OF 2025

ANITA NITIN WANKHADE

VERSUS

STATE INFORMATION COMMISSION AND OTHERS

...

- Mr. K. S. Solanke, Advocate for the Petitioner
- Mr. S. V. Hange, AGP for Respondents/State

...

CORAM : MANISH PITALE AND
Y. G. KHOBRAGADE, JJ.

DATE : 08.08.2025

PER COURT :

1. This is the petition filed under Article 226 of the Constitution of India seeking writ of *mandamus* or direction to the respondents to provide information in view of the order dated 08.11.2023 passed by respondent No. 1 - the State Information Commission.

2. The learned counsel for the petitioner further brings to our notice that since information as per the said order was not being provided by respondent Nos. 2 and 3, a further application was preferred before respondent No. 1 - the State Information Commission, which came to be disposed of by an order dated 09.08.2024. By the said order, respondent No. 1 directed the concerned officers to provide information in terms of the order dated 08.11.2023 within 15 days. It is the grievance of the petitioners that till date the information has not been provided.

3. A perusal of the provisions of the Right to Information Act, 2005 shows that Section 20 pertains to penalty and the petitioner could very well invoke the said provision for penalty to be invoked upon respondent No. 2 and 3. We are also of the opinion that the petitioner can proceed against respondent Nos. 2 and 3 under the provisions of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005.

4. The petitioner is at liberty to move such proceedings.

5. To entertain the present petition, would amount to this Court under Article 226 of the Constitution, performing functions of an executing Court as regards orders passed by the authorities under the Right to Information Act, 2005. We are of the opinion that entertaining such writ petitions would further burden the docket of this Bench of the High Court, which is already overburdened.

6. In view of the aforesaid observations, the Writ Petition is disposed of.

(Y. G. KHOBRADE, J.)

(MANISH PITALE, J.)