



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.2577 OF 2021

Shri Pravin s/o Pralhadrao Laakde
Age 40 years, Occ: Service,
R/o Plot No.35, Ashirwad Nagar, Jam Road,
Yavatmal, Tq. and Dist. Yavatmal.

....PETITIONER

...V E R S U S...

1. State Information Commission,
Amravati Bench, Amravati, near
Government Rest House, Camp,
Tq. & Dist. Amravati – 444602.
2. The District Superintendent of Land
Record, Administrative Building No.1,
First Floor, District Collector Office
Premises, Yavatmal, Tq. and Dist. Yavatmal.
3. The Deputy District Superintendent
of Land Record, Wani ,Tq. Wani,
Dist. Yavatmal.

...RESPONDENTS

Shri P.K. Raulkar, Advocate for petitioner.
Shri A.S. Fulzele, A.G.P. for respondent nos.2&3.

CORAM:- M.W. CHANDWANI, J.
DATE :- 05.12.2025

ORAL JUDGMENT:

. **Rule.** Rule made returnable forthwith. Heard finally
with the consent of the parties.

2. The petition challenges the order dated 16.07.2020
passed by respondent no.1 – State Information Commissioner,
Amravati in Appeal No.AM-2752/2017 imposing penalty on the

petitioner under Section 20(1) of the Right to Information Act, 2005 (for short “RTI Act”) for not supplying the information to one Shri Narendra Umedmal Kathed.

3. One Shri Narendra Umedmal Kathed sought information under the RTI Act from the office of respondent no.3- the Deputy Superintendent, Land Record, Wani, District Yavatmal; however, the information was not supplied to him within the prescribed statutory period. Therefore, he filed an appeal before respondent no.2 – The District Superintendent of Land Record, Yavatmal which is the first appellate authority. The appeal came to be allowed on 12.12.2017 directing the Public Information Officer to provide the information sought by Shri Narendra Umedmal Kathed within five days. However, no information was supplied by the Public Information Officer and therefore, he was forced to file second appeal before the respondent no.1-State Information Commission. However, in second appeal it was revealed that after the order was passed by the respondent no.2 - first appellate authority, the information was supplied to said Shri Narendra Umedmal Kathed. However, respondent no.1 found that the information was not supplied by the Public Information Officer within the stipulated time and therefore, he imposed a penalty of ₹25,000/- on the then Public Information Officer as well as the

incumbent Public Information Officer i.e. the petitioner. Feeling aggrieved by the impugned order imposing penalty of ₹25,000/-, the present petitioner filed the present petition.

4. Having heard the learned counsel for the petitioner as well as the learned Assistant Government Pleader for respondent nos.2 and 3 and having gone through the record, it appears that before imposing penalty, no show-cause was issued to the petitioner as provided under the proviso to Section 20(1) of the RTI Act. That apart, the record shows that the petitioner joined the office of the Deputy Superintendent of Land Record, Wani on 16.08.2019; whereas, the officer preceding the petitioner was one Shri N.S. Bhokare. Thus, the petitioner was not at all responsible for not supplying the information to Shri Narendra Umedmal Kathed within time. Therefore, the impugned order dated 16.07.2020 passed by respondent no.1 – State Information Commission, Amravati imposing penalty on the petitioner, who was not a Public Information Officer at the relevant time does not stand to the reason and therefore, the same is quashed and set aside only to the extent of imposing penalty on the petitioner.

Rule is made absolute in the abovesaid terms. No order as to costs.