



\$~84

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

+ W.P.(C) 4806/2025
YASHPAL ANAND

.....Petitioner

Through: Mr. Puneet Goel, Adv.
versus

CENTRAL INFORMATION COMMISSION & ORS....Respondents

Through: Mr. Raul Sharma, CGSC, Mr. Ratan
Prakash, GP, Mr. Mani Kant and Ms.
Shikha Singh, Advs. for CIC.
Mr. Kapil Dutta and Mr. Vansh
Luthra, Advs. for MCD.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

% **21.04.2025**

1. The present petition has been filed by the petitioner, *inter alia*,
praying as under –

“a. Direct the Respondent No. 1 to consider the complaint under section 20 of Right to Information Act, 2005 duly submitted by petitioner through speed post dated 02/04/25 against the respondent no.2 & 3 and dispose of the same after due inquiry within 48 hours and a copy of order also be provided to the petitioner in the interest of justice.

b. Impose cost and penalty upon respondent No. 1 for causing delay & not deciding the complaint dated 02/04/25 of petitioner within 48 hours from the date of receiving such complaint under section 20 of Right to Information from petitioner.

c. Direct the respondent no. 2 to consider the first appeal under Right to Information Act, 2005 which has been submitted by petitioner to the respondent No. 2 through speed post dated 26/03/2025 and dispose of the same after inquiry by passing speaking order and copy of the complete enquiry report be also provided to the petitioner in accordance with law.

D. Direct the respondent No. 3 to consider the application dated 22/03/2025, duly submitted under RTI Act, 2005 and dispose of the same in accordance with the law.”

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 30/04/2025 at 15:51:39



2. The background of the matter is that the petitioner has been operating a tahbazari shop bearing No. 1A, situated in Veer Savarkar Market, Geeta Colony, Delhi for over four decades. It is submitted that throughout this period, the petitioner has been regularly depositing the requisite license fee, for which the Municipal Corporation of Delhi (MCD) issued proper receipts acknowledging payment.

3. It is submitted that in the course of time, certain officials of the MCD, demanded an illegal gratification of ₹2,00,000/- from the petitioner. Upon his refusal to succumb to this demand, the said officials allegedly prepared a false report with the intention to evict him from his shop. This report was forwarded to the Deputy Commissioner, Shahdara South Zone, MCD, which led to the issuance of a show cause notice dated 03.02.2024.

4. The petitioner responded to the said notice on 06.02.2024. It is submitted that despite the submission of a comprehensive reply, the shop was forcefully and partially demolished on 07.02.2024. The petitioner after repairing the damaged premises resumed his business operations, which remain his only means of earning a livelihood.

5. Subsequently, it is submitted that fresh reports were again prepared by the said officials, resulting in two more show cause notices dated 07.08.2024 and 13.08.2024. The petitioner once again submitted detailed replies. Yet, his shop was again partly demolished, and significant damage was caused to the goods stored therein.

6. In light of the above the petitioner submitted an application under Section 7(1) of the Right to Information Act, 2005, (hereinafter 'RTI Act') on 21.03.2025 to the office of respondent no. 3 (Public Information Officer, MCD). Information sought by the petitioner is reproduced as under –

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 30/04/2025 at 15:51:39



“A. Please provide a certified copy of entire file upon which Deputy Commissioner, Shahdara South Zone, MCD had issued a show cause notice to me vide letter reference No. DC/shah(S)/2023-2024/96 dated 03.02.24

B. Please provide the copy of official noting and proceeding sheet which were prepared upon such file, considering which I received a show cause notice from Deputy Commissioner, Shahdara South Zone, MCD vide letter reference No. DC/shah(S)/2023-2024/96 dated 03.02.25

C. Please provide the copy of order passed by Deputy Commissioner, Shahdara South Zone, MCD upon which he had issued the show cause notice vide letter reference No. DC/shah(S)/2023-2024/96 dated 03.02.25

D. Please provide the copy of order passed by Deputy Commissioner, Shahdara South Zone, MCD upon which he had issued the show cause notice vide letter reference No. DC/shah(S)/2023-2024/ dated 07.08.24

E. Please provide a certified copy of entire file upon which Deputy Commissioner, Shahdara South Zone, MCD had issued a show cause notice to me vide letter reference No. DC/shah(S)/2023-2024/285 dated 07.08.24

F. Please provide the copy of official noting and proceeding sheet which were prepared upon such file, considering which I received a show cause notice from Deputy Commissioner, Shahdara South Zone, MCD vide letter reference No. DC/shah(S)/2023-2024/285 dated 07.08.24

G. Please provide the copy of order passed by Deputy Commissioner, Shahdara South Zone, MCD upon which he had issued the show notice vide letter reference No. DC/shah(S)/2024-2025/350 dated 13.08.24

H. Please provide a certified copy of entire file upon which Deputy Commissioner, Shahdara South Zone, MCD had issued a show cause notice to me vide letter reference No. DC/shah(S)/2024-2025/350 dated 13.08.24

I. Please provide the copy of official noting and proceeding sheet which were prepared upon such file, considering which I received a show cause notice from Deputy Commissioner, Shahdara South Zone, MCD vide letter reference No. DC/shah(S)/2024-2025/350 dated 13.08.24”

7. As per the proviso to Section 7 (1) of RTI Act, if the information sought under the RTI Act concerns the life or liberty of a person, the same

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 30/04/2025 at 15:51:39



shall be provided within forty eight hours of the receipt of the request. It is submitted that no information was provided to the petitioner within the stipulated time.

8. Consequently, the petitioner filed a First Appeal under the RTI Act on 26.03.2025 before respondent no. 2 (Deputy Commissioner, Shahdara South Zone, MCD), However, no order was passed by respondent no. 2.

9. Thereafter, the petitioner filed both a Complaint under Section 20 and a Second Appeal under Section 19 of the RTI Act to respondent no. 1 (Information Commission) on 02.04.2025. To date, however, neither a decision has been rendered nor has any response been provided to the petitioner.

10. Being aggrieved therewith, the petitioner has filed the present petition.

11. Learned counsel for the MCD, who appears on advance notice submits and undertakes, on instructions, that the requisite information, sought by the petitioner *vide* RTI application dated 21.03.2025, filed as Annexure-P4 shall be supplied to the petitioner within a period of one week from today.

12. It is acceded that the aforesaid effectively redresses the grievance of the petitioner concerning the non-supply of information sought by him through the RTI application dated 21.03.2025. The petitioner does not press for any further order/s.

13. The present petition is disposed of in the above terms.

APRIL 21, 2025/cl

SACHIN DATTA, J

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 30/04/2025 at 15:51:39