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

+ **W.P.(C) 5214/2025 and CM APPL.23778/2025 (Stay)**

PRASHANTH PROJECTS LIMITED

.....Petitioner

Through: Mr. Tahir Ashraf Siddiqui, Mr.
Mayur Chandresh Punjabi and Mr.
Kartikey Sahai, Advs.

versus

CENTRAL VIGILANCE COMMISSION & ORS.Respondents

Through: Mr. Ravinder Agarwal, Mr. Manish
Kumar Singh and Mr. Vasu Agarwal,
Advs. for R-1.
Ms. Priya Puri and Ms. Parul Sharma,
Advs. for R-2 and 3.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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30.04.2025

CM APPLs.23777/2025 (Exemption from filing certified copies etc. of annexures), 23779/2025 (seeking permission to file synopsis and list of dates)

1. Allowed, subject to all just exceptions.
2. Applications stand disposed of.

W.P.(C) 5214/2025 and CM APPL.23778/2025 (Stay)

3. The present petition has been filed by the petitioner seeking that the respondents be directed to provide to the petitioner a copy of the investigation report in respect of complaints bearing Nos. 4919/2023, 5594/2023, 5595/2023, lodged by the petitioner against certain officers of the respondent no.3 [Indian Oil Corporation Limited (IOCL)].
4. The grievance of the petitioner is that there has been no substantive response from respondent no.1/ Central Vigilance Commission (CVC) and



respondent no. 2 / The Central Vigilance Officer (CVO) in respect of the aforesaid complaints.

5. Being aggrieved, the petitioner earlier approached this Court by filing W.P.(C) 6104/2024. It was during the said proceedings that the petitioner learned that in Complaint No. 4919/2023 a decision had been taken and a detailed investigation had already been conducted by the Chief Vigilance Officer (CVO), and further clarifications had been sought based on the CVO's report. It was further informed that other two complaints, i.e. Complaint Nos. 5594/2023, 5595/2023 had been clubbed with the Complaint No. 4919/2023

6. This Court *vide* order dated 02.05.2024, disposed of the said writ petition with a direction to the respondents to complete the procedure expeditiously and in accordance with applicable CVC circulars. The said order is reproduced as under: –

“1. The petitioner has approached this Court seeking status of the complaints lodged by the Petitioner with the Central Vigilance Commissioner (CVC) against the officials of the Indian Oil Corporation (IOC).

2. The facts on record reveal that the Petitioner is a contractor of the Indian Oil Corporation. Material on record discloses that certain disputes arose between the Petitioner and IOC and the Petitioner has filed complaints with the CVO/CVC alleging malpractices by the officials of the Indian Oil Corporation.

3. It is stated that the Petitioner gave many complaints and three of the complaints, namely, Complaint No.4919/2023 dated 12.01.2023, Complaint No.5594/2023 dated 21.01.2023 and Complaint No.5595/2023 dated 21.01.2023 were registered.

4. It is stated that after registration of the complaints, the Petitioner has been kept in dark about the progress in the complaint. Learned Counsel for the Petitioner also points out various circulars brought out by CVC



showing that it is mandatory on the department to show the result of the complaint to the complainant.

5. It is stated by learned Counsel for the Respondent states that as far as Complaint No.4919/2023 is concerned, a decision has been taken and a details investigation has been completed by the CVO and further clarification has been sought on the investigation report by the CVO. He further states that the other two complaints have also been clubbed with Complaint No.4919/2023. The statement is taken on record.

6. As per the statement given by learned Counsel for the Respondent, three complaints are alive and are under consideration by the CVO. This Court is not inclined to proceed further in the present writ petition at this juncture. The CVO is directed to complete the procedure as expeditiously as possible in accordance with the circulars passed by the CVC on this aspect.

7. Liberty is granted to the Petitioner to approach this Court in case need arises in future.

8. The writ petition is disposed of along with pending application(s), if any.”

7. It is submitted that despite the aforesaid order, no response was provided to the petitioner by respondent nos.1 or 2.

8. Subsequently, the petitioner filed an RTI application bearing No. IOCLD/R/T/24/00185 with the Chief Public Information Officer (CPIO) of IOCL. In response, the CPIO, through letter No. DP/6/21 dated 23.07.2024, stated that the complaints had been investigated and found “not substantiated” by IOCL Vigilance (respondent no. 2). The reply to the RTI application has been filed as Annexure-28, the same reads as under:

“Reply: *The complaints have been investigated by IOCL. Vigilance and found not substantiated.*

In case you intend to appeal, you may file your appeal within 30 days, as per the provisions of the subject Act, to the First Appellate Authority, whose particulars are given below:



*Sh. Subimal Mondal
Executive Director I/C (HR),
Indian Oil Corporation Limited,
Plot No.3079/3, Sadiq Nagar,
J.B. Tito Marg, New Delhi-110049.”*

9. However, it is submitted that the said letter failed to provide any supporting documents, copy of the investigation report, or even a speaking order explaining the rationale behind the decision.

10. Subsequently, the petitioner filed RTI First Appeal No. IOCLD/A/E/24/00318, challenging the said response. The Appellate Authority, however, vide order dated 18.08.2024, rejected the appeal stating that the issues raised in the appeal were not part of the original RTI query and hence beyond the scope of appellate consideration under the RTI Act.

11. In view thereof, the petitioner filed a fresh RTI application on 02.10.2024 bearing No. CVCOM/R/T/24/00698, specifically requesting a copy of the investigation report and related documents.

12. However, the CPIO vide letter dated 15.10.2024 (No. CVC/Misc/008/RTI/43258) dismissed the request on the ground that similar information had already been provided and that repeated RTI queries cannot be countenanced under RTI Act.

13. It is submitted that this assertion was incorrect, as the earlier RTI only sought status of the complaints logged by the petitioner, while the latter specifically sought the copy of the investigation report.

14. The petitioner then filed an appeal (No. CVCOM/A/E/24/00242) dated 21.10.2024, clarifying the distinction between the two RTI applications. Despite this, the Appellate Authority of CVC vide order dated 18.11.2024 (No. CVC/RTI/APP/24/21446048) again rejected the request,



citing that the CPIO had suitably responded to petitioner vide letter dated 15.10.2024. Therefore, no further action is required in the said matter.

15. It is submitted that neither the respondent no.1 (CVC) nor respondent no.2 (CVO) has provided a formal order or copy of the investigation report. It is submitted that the petitioner is left in the dark as to the reasoning, materials, or findings which led the Vigilance department to conclude that the complaints were unsubstantiated.

16. In the circumstances, the petitioner seeks that a copy of the investigation report be provided to the petitioner. In support of his contentions, the petitioner has relied upon the judgment in **Mr. Amit Goel vs. Central Vigilance Commission**, passed in W.P.(C) 10640/2022 and order dated 13.01.2021 passed in **Surendra Santoshi vs. Central Vigilance Commission Anr.**, passed in W.P.(C) 467/2021.

17. The relevant portion of the judgment in **Mr. Amit Goel vs. Central Vigilance Commission** (supra) is reproduced as under:—

“14. The court has perused the record and heard both the parties. The stand of the CVC that the complaint has no merit, as stated in paragraph 10 is not backed up by any order passed by the CVC. Ld. Counsel also fairly submits that there is no specific order which is passed but the affidavit is clear to this effect.

15. In the opinion of this Court, there has to be an independent inquiry into the complaint raised by the Petitioner against the CVO of SBI, conducted by the CVC. The matter cannot be referred to the person against whom the complaint itself has been made. Accordingly, the impugned action of the CVC would not be tenable. The CVC would consider the matter independently on its own and after inquiring into the complaint pass its own independent peaking and reasoned order, in accordance with law. The said order shall be passed within a period of three months from today.”

18. The relevant portion of the order dated 13.01.2021 passed in



Surendra Santoshi vs. Central Vigilance Commission Anr (supra) is reproduced as under:—

“2. The Petitioner has filed the present writ petition seeking directions for production of the enquiry report dated 30th December, 2014, submitted by the Chief Vigilance Officer (hereinafter ‘CVO’), National Buildings Construction Corporation Ltd. (hereinafter ‘NBCC’) before the Central Vigilance Commission (hereinafter ‘CVC’), on a complaint filed by the Petitioner.

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7. Heard ld. counsels for the parties. After perusing the records, it is clear from the reply given on 10th December, 2020, by the Central Vigilance Commission, that the file is stated to be under examination of the CVC, and hence, this court is of the opinion that it would not be possible to accept the explanation that the file may not be with the CVC. Be that as it may, the enquiry and the report being a culmination of the Petitioner’s complaint, the Petitioner ought to be supplied with a copy of the same by the CVC. If the CVC finds that it does not have a copy of the report on its record, it shall obtain the same from the CVO, NBCC and supply a copy within six weeks.”

19. Learned counsel for the respondents are not able to point out any circumstance which inhibits the supply of the concerned investigation report to the petitioner.

20. Considering the aforesaid, the respondent nos.2 and 3 are directed to provide the relevant investigation report to the petitioner. Let the same be done within a period of four weeks from today.

21. The petition is disposed of in above terms.

SACHIN DATTA, J

APRIL 30, 2025/cl