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

+ **W.P.(C) 5322/2025**

SHANTANU SINGH

.....Petitioner

Through: Mr. Nishant Mandal, Adv.

versus

REGISTRAR, CENTRAL INFORMATION COMMISSION

....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

% **25.04.2025**

CM APPL.24250/2025 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. The limited grievance raised by the petitioner in the present petition is that the respondent be directed to list, hear and decide/dispose of the second appeal filed by the petitioner before the Central Information Commission as expeditiously as possible.
4. The present petition has been filed in the backdrop of two RTI applications dated 22.02.2025 and 26.02.2025 filed by the petitioner before the Chief Public Information Officer (CPIO)/Deputy General Manager (Retail), Lucknow Retail Regional office, Hindustan Petroleum Corporation Ltd (HPCL) seeking the following information:

“Please provide copies of Appellate order passed by the Appellate Authority / Executive Director (Retail) restoring the dealership of M/s. Raj Kaushal Filling Station, Lucknow in 2017?2. Please provide copy of the Appeal alongwith annexures filed before the Appellate Authority / Executive Director (Retail) by M/s. Raj Kaushal Filling Station, Lucknow against the termination order dated 16.11.2012 passed by the Chief

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Regional Manager Lucknow?

Please provide copies of the Appellate order passed by the Appellate Authority / Executive Director (Retail) restoring the dealership of M/s. Mateshwari filing Centre, Lucknow in 2017? Please provide copy of the Appeal alongwith annexures filed before the Appellate Authority / Executive Director (Retail) by M/s. Mateshwari filing Centre, Lucknow against the termination order passed by the Chief Regional Manager Lucknow?"

5. The CPIO, *vide* orders dated 06.01.2025 and 07.01.2025 refused to furnish the information sought by the petitioner on the premise that the said information is exempted under clause(s) 8(1)(d), 8(1)(e) and 8(1)(j) of the RTI Act.

6. Consequently, first appeal before the First Appellate Authority i.e., Executive Director- Retail, HPCL (hereinafter referred as 'the FAA') came to be filed by the petitioner against the aforesaid orders passed by the CPIO. However, the FAA *vide* orders dated 10.02.2025 upheld the orders passed by the CPIO and observed as under:

"I have carefully gone through your RTI application as well CPIO reply in this regard.

Please note that required information is treated as having commercial confidence by HPCL under Section 8(1)(d) of the RTI Act, 2005.

Further, these documents relate to third party's personal information and serves no

larger public interest, hence exempted under section 8(1)(U) of RTI Act, 2005. Moreover, the sought information is being held by HPCL in its fiduciary capacity and therefore, the same is exempted under section 8(1)(e) of the RTI Act, 2005.

In this regard, you may kindly take cognizance of decisions of the Central Information Commission in case no CIC/LS/A/2011/002074, dated 12.9.2011, filed by Mr. Shridhar S Koli versus HPCL, Belgaum Retail Regional Office, where a third party not connected with the process had asked for the details and CIC has upheld the refusal to part with such information.

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Considering the above aspects, your appeal is hereby disposed of without any instructions to the CPIO.”

7. Aggrieved by the aforesaid order, on 22.02.2025 and 26.02.2025 the petitioner filed second appeals before the CIC (Central Receipt Section, Club Building, Old JNU Campus, New Delhi 110067). It is submitted that the same are pending adjudication.

8. It is the case of the petitioner that the information sought by the petitioner is crucial for adjudication of a petition filed by the mother of the petitioner before the Supreme Court. It is stated that the said petition is likely to be listed in the next few weeks; the requisite information is stated to have a direct bearing on the outcome of the aforesaid petition.

9. It is submitted that delay in adjudication of application filed before the CIC will cause grave prejudice to the petitioner and directly impinge upon petitioner's right to life, dignity and profession.

10. In the circumstances, learned counsel for the petitioner confines himself to seeking that the second appeal, filed by the petitioner before tge CIC vide appeal Nos. CIC/HPCLD/A/2025/609819 & CIC/HPCLD/A/2025/609307 filed on 22.02.2025 & 26.02.2025, be directed to be considered expeditiously.

11. Considering the circumstances, the CIC is requested to expedite hearing of the aforesaid second appeal, filed by the petitioner. Let an endeavour be made to dispose of the same as expeditiously as possible and preferably within a period of eight weeks from today.

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

SACHIN DATTA, J

APRIL 25, 2025/cl

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