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

+ **W.P.(C) 7967/2025**

DEVIN

.....Petitioner

Through: Ms. Vrinda Bhandari, Ms. Pragya Barsaiyan, Advs.

versus

CENTRAL PUBLIC INFORMATION OFFICER & ANR.

.....Respondents

Through: Mr. Sanjay Khanna (Standing Counsel), Ms. Pragya Bhushan, Mr. Tarandeep Singh, Ms. Vilakshana Dayma, Advs.
Ms. Ira Singh (SPC) along with Mr. Gopesh Jindal (GP) for R2.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

% **29.05.2025**

CM APPL. 34989/2025 (Exemption)

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

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3. The present petition has been filed by the petitioner (through his father) assailing letter dated 26.07.2025 issued by the respondent no.1/Chief Public Information Officer, National Testing Agency in response to an RTI application dated 10.06.2024, filed by the petitioner (through his father) seeking the following information:

“Subject/Request:

Under the Right to Information Act 2005, kindly provide the following information:

Point No. 1: Certified copy of the OMR Sheet.

Roll No: 1601010603



Application No: 240410090761

Point No. 2: In NEET results, on what basis were grace marks given to over 1500 students?

*Point No. 3: Roll No: 1601021133 Application No: 240410553476
Certified copy of OMR sheet is also requested."*

4. On account of the respondent no.1's failure to provide the requisite information within the prescribed statutory period, the petitioner's father filed a first appeal before the First Appellate Authority. However, the same was not responded to by the concerned authority.
5. Thereafter, instead of filing a Second Appeal against non-consideration of the matter by the First Appellate Authority, the petitioner has filed the present petition.
6. Considering that the petitioner has an efficacious remedy of filing a second appeal before the Central Information Commission as contemplated under Section 19 of the Right to Information Act, 2005, the present petition is disposed of by granting liberty to the petitioner to file second appeal before the Central Information Commission in respect of the subject matter.
7. Upon the said appeal being filed, the same shall be decided by the Central Information Commission (CIC) on its own merits.
8. Learned counsel for the respondent submits that the requisition made by the petitioner *vide* the aforesaid RTI Application dated 10.06.2025, is outside the ambit of the RTI Act. The said aspect shall necessarily be gone into by the CIC.

SACHIN DATTA, J

MAY 29, 2025/uk