



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.1709 OF 2026

Shaikh Kamal Shaikh Hasan Qureshi,
Age : 45 Years, Occ. Agri.,
r/o. Qureshi Galli, Partur,
Tq. Partur, Dist. Jalna

..Petitioner

Vs.

1. The State of Maharashtra,
Through its Secretary,
Urban Development Department,
Maharashtra State, Mantralaya,
Mumbai - 32
2. The State Information Commission,
Bench at Chhatrapati Sambhajinagar,
Through its Commissioner,
Chhatrapati Sambhajinagar
3. The District Collector,
Jalna
4. The First Appellate Officer,
@ the Chief Officer, Municipal Council,
Partur, Tq. Partur, Dist. Jalna
5. The Public Information Officer,
Municipal Council, Partur,
Tq. Partur, Dist. Jalna

..Respondents

Mr.K.T.Taur, Advocate for petitioner
Mr.R.S.Wani, AGP for respondent nos.1 to 3
Mr.Sachin Kuptekar, Advocate h/f. Mr.Vishal Bagal, Advocate for
respondent nos.4 and 5

**CORAM : SMT.VIBHA KANKANWADI &
AJIT B. KADETHANKAR, JJ.**

DATE : APRIL 23, 2026

ORDER :-

Present petition has been filed for direction to respondent no.3 to initiate action against respondent nos.4 and 5, as respondent nos.4 and 5 had failed to supply the information to the petitioner within stipulated period as per the order dated 12.02.2024, passed by respondent no.2 in Second Appeal No.9473 of 2021. The petitioner is also seeking direction to initiate action against respondent nos.3 to 5.

2. Though learned counsel for the respondent nos.4 and 5 seeks accommodation once again, we asked learned counsel for the petitioner to make his submissions.

3. Heard Mr.Taur, learned counsel for the petitioner; Mr.Wani, learned AGP for respondent nos.1 to 3; and Mr.Kuptekar h/f. Mr.Bagal, learned counsel for respondent nos.4 and 5.

4. The petitioner has come with a case that he is resident and voter of the Municipal Council, Partur. He had filed an application and sought information from respondent no.5 under the Right to Information Act, 2005 ("R.T.I. Act", for brevity). As the said application was not decided, the petitioner filed First Appeal before

respondent no.4 and even when the said appeal was not decided, the petitioner went before respondent no.2 in Second Appeal, which was allowed on 12.02.2024. However, according to the petitioner, till the date of this Writ Petition, the information as directed to be supplied, has not been supplied to him.

5. The petitioner states that he had filed two applications, i.e. on 06.07.2021 and 14.07.2021 under the R.T.I. Act before respondent no.5, thereby seeking a copy of the resolution passed by the Municipal Council, Partur in April, 2021, in respect of goldsmith-shop in the territory of Municipal Council; and seeking copies of bills of purchase of *Ghanta-Gadis* along with the resolution. Learned counsel for the petitioner submits that there is huge misappropriation in the so called purchase of those vehicles, i.e. *Ghanta-Gadis* (garbage collecting and carrying vehicles).

6. When it was asked, learned counsel for the petitioner states that the petitioner is an agriculturist. Here, it has to be noted that the petitioner has not come with a case that he is a social activist/whistle-blower. If we consider his application dated 06.07.2021 made to the respondent no.5, it can be seen that it is as vague as possible. The application dated 14.07.2021 made by the petitioner itself states that the information was sought on two points,

i.e. one in respect of the bills of purchase of *Ghanta-Gadis* for the period between 2000 and 2020 and a resolution regrading purchase of those vehicles. We do not find any connection with the applications dated 06.07.2021 and 14.07.2021.

7. The purpose of the Right to Information Act was to provide for setting out the practical regime of right to information for citizens to secure access to information under the control of public authorities, in order to promote transparency and accountability in the working of every public authority, the constitution of a Central Information Commission and State Information Commissions and for matters connected therewith or incidental thereto.

8. When an information under the R.T.I. Act is sought, then it is the bounden duty of a citizen to clarify as to on which point and for what purpose the information is needed. Section 3 of the R.T.I. Act prescribes that subject to the provisions of the Act, all the citizens have right to information. However, by the pronouncements of the decisions of the Hon'ble Supreme Court, this Court as well and the authorities under the R.T.I. Act, it can be seen that the information can be sought only on certain points. Section 6 of R.T.I. Act clarifies the ambit and in **Chief Information Commissioner Vs. The State of Manipur, AIR 2012 SC 864**, it has been held that

Section 6 of R.T.I. Act is wider than Section 3. Therefore, it will have to be considered that the application that would be made by any citizen should be within the ambit which can be said to be covered under Section 6 of the R.T.I. Act. Section 6(2) of the R.T.I. Act states that an applicant making request for information shall not be required to give any reason for requesting the information or any other personal details, but it is with a rider that except those that may be necessary for contacting him.

9. Now, we are harping upon the fact that such an application should be clear enough to state as to which information is required and for that purpose, clarity should be there. At the cost of repetition, therefore, we would like to state that the application dated 06.07.2021 is as vague as it is. Certainly, it is the duty of the Information Officer under the Act to supply the information within the stipulated period and if he is rejecting the same, such decision also will have to be taken within the stipulated period.

10. Now, in the present case, it can be seen that the petitioner had approached the State Information Commissioner, Bench at Chh. Sambhajinagar and by order dated 29.04.2025, the complaint application filed under Section 18 of the R.T.I. Act has been disposed of. Perusal of the order dated 29.04.2025 would show that

the matter appears to have been relegated to the first appellate Officer for implementation of the order passed by the State Information Commission. If the petitioner intends to say that still there is disobedience of the order, then Section 20 of the R.T.I. Act prescribes for the penalties to be imposed. Further, when as per the order dated 29.04.2025, the matter has been relegated, we do not find this to be a fit case where this court should exercise its powers under Article 226 of the Constitution of India.

11. In view of the above, we dispose of the Writ Petition by directing respondent no.4 to decide the relegated matter as per the order dated 29.04.2025, passed by the State Information Commissioner, Bench at Chh. Sambhajinagar, within a period of fifteen days from today.

[AJIT B. KADETHANKAR, J.]

[SMT.VIBHA KANKANWADI, J.]

KBP

.....