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* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of Decision:- 02.07.2026.***

+ LPA 328/2026 & CM APPL. 28939/2026, CM APPL. 28940/2026

VIKAS NAGAR

.....Appellant

Through: Appellant in person.

versus

UNION OF INDIA & ANR.

.....Respondent

Through: Mr.Mukul Singh, CGSC with
Mr.Aryan Dhaka, Advs.**CORAM:****HON'BLE THE CHIEF JUSTICE****HON'BLE MR. JUSTICE TEJAS KARIA****ORDER**

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02.07.2026**DEVENDRA KUMAR UPADHYAYA, C.J. (ORAL)**

1. Heard the appellant, who appears in person and Mr.Mukul Singh, learned CGSC representing the respondents.
2. This intra-Court appeal seeks to challenge an order dated 19.02.2026, whereby W.P.(C) 13989/2024 filed by the appellant has been dismissed by the learned Single Judge.
3. The facts in nutshell leading to institution of the proceedings of the instant letters patent appeal are that the appellant was married to late Ambika, daughter of Shri Shyam Singh Khinchee, who is a retired Central Government official. On account of certain matrimonial discord, late Ambika is said to have been living with her father though there was no



judicial separation or divorce between the appellant and his wife. The appellant had been paying monthly maintenance as well as full cashless medical facility under the Employees State Insurance Corporation (ESIC) Scheme to his wife. She, however, expired on 17.03.2021.

4. It is on record that on 11.06.2020, Shri Shyam Singh Khinchee made an application before the Competent Authority of the Central Government Health Scheme (CGHS) seeking inclusion of his daughter late Ambika as his dependant for the purpose of availing CGHS medical facility. The appellant has stated that the request for inclusion of late Ambika as a beneficiary under the CGHS Scheme by her father was accompanied by certain declaration and affidavits stating that late Ambika was separated from the appellant and was wholly dependent on her father. According to the appellant, such assertions made with the request for inclusion of late Ambika as a beneficiary of the CGHS Medical Facility, were incorrect, wrong and contained false averments and declarations.

5. In the aforesaid background, an application was moved on 04.10.2022 by the appellant under the Right to Information Act (*hereinafter referred to as 'RTI Act, 2005'*) to the Central Public Information Officer (CPIO), CGHS (Headquarters) Delhi, whereby certain information were sought which included copies of the application submitted by Shri Shyam Singh Khinchee, affidavits and declarations filed in support of the said application, file notings and approval granted by CGHS and the details of medical claims processed in respect of late Ambika as CGHS beneficiary.

6. The CPIO, however, *vide* its reply dated 17.10.2022 denied the information sought in respect of point no.1 to 8 on the ground that the same pertained to a third party and was thus exempted from disclosure under



Section 8 (1)(j) of the RTI Act, 2005. The appellant preferred first appeal against the said order to the CPIO, which was dismissed by the First Appellate Authority on 30.11.2022. Thereafter the appellant preferred Second Appeal before the Central Information Commission challenging the order passed by the First Appellate Authority as also by the CPIO. The Commission, however, dismissed the appeal *vide* order dated 05.03.2024. It is this order dated 05.03.2024 passed by the Central Information Commission, which was challenged by the appellant by instituting the proceedings of the writ petition before the learned Single Judge.

7. Learned Single Judge by the impugned order, after considering the entire facts, has observed that the information sought by the appellant under the RTI Act, 2005 *vide* his application dated 04.10.2022 pertained to third party, namely appellant's father in law Shri Shyam Singh Khinchee and, accordingly, there is no illegality in the order passed by the CPIO, the First Appellate Authority and the Central Information Commission whereby information sought has been denied under Section 8(1)(j) of the RTI Act, 2005.

8. The appellant has, however, stated that the information sought by him by moving the application under the RTI Act, 2005 did not pertain to third party rather it pertained to appellant himself and, therefore, the finding recorded by the authorities under the RTI as also by the learned Single Judge in this regard is erroneous.

9. We are afraid we cannot agree with the submission made by the appellant. Admittedly the information and the documents sought under the RTI Act, 2005 by the appellant *vide* his application dated 04.10.2022 were in respect of the request made by Shri Shyam Singh Khinchee for the



purposes of inclusion of her daughter as a beneficiary under the CGHS Scheme and, therefore, such information in our opinion is referable to Section 8(1)(j) for the reason that such documents and other details, which formed part of the application made by Shri Shyam Singh Khinchee would be personal to Shri Shyam Singh Khinchee. Merely because certain averments were made in the affidavit and the declaration was also made with the request made by Shri Shyam Singh Khinchee in respect of marital status of the appellant, it cannot be said that the information sought by the appellant was in relation to him.

10. We need to draw distinction between the personal information concerning Shri Shyam Singh Khinchee and the appellant. All the documents which were sought to be provided by making the application under the RTI Act, 2005 pertained to the request/application made by Shri Shyam Singh Khinchee and not by the appellant and accordingly we are not impressed by the submission made by the appellant in this regard.

11. In view of the aforesaid, we do not find any irregularity, much less any illegality in the impugned order passed by the learned Single Judge, which is under challenge herein.

12. The appeal thus fails and is hereby dismissed along with the pending application(s).

13. There will be no orders as to costs.

14. At this juncture, the appellant has submitted that as a matter of fact inclusion of his wife as a beneficiary of CGHS Scheme available to her father was based on false and fabricated documents and incorrect information. If that be so, it would have been a case where appellant ought to have challenged inclusion of his wife as beneficiary under the CGHS



Scheme. The appellant, in fact, had lodged a complaint before the CGHS authorities about the alleged illegal manner in which name of his wife was included as a beneficiary of CGHS Scheme available to his father, however, such complaint was rejected by the CGHS authorities *vide* order dated 20.06.2025. The appellant challenged the said order dated 20.06.2025 by instituting proceedings of W.P.(C) 16539/2025, which too has been dismissed by the learned Single Judge *vide* order dated 23.02.2026.

15. In view of the aforesaid and also taking into account the fact that the matter relating to complaint of the appellant is not the subject matter of the instant appeal, we are not in a position to issue any such direction as is being sought by the appellant.

16. It is, however, needless to say that it is always open to the appellant to assail the order dated 23.02.2026 passed by the learned Single Judge whereby W.P.(C) 16539/2025 has been dismissed, before an appropriate forum/Court which may be available to him under law.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

JULY 2, 2026
S.Rawat