



2026:DHC:1726



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 13989/2024**

Date of decision: **19.02.2026**

VIKAS NAGAR

.....Petitioner

Through: Petitioner in person.

versus

CENTRAL INFORMATION COMMISSION THROUGH ITS
CHIEF INFORMATION COMMISSIONER & ORS.Respondents

Through: Mr. Mukul Singh, CGSC with Mr.
Aryan Dhaka, Advs.

CORAM:**HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV****J U D G E M E N T****PURUSHAINDR KUMAR KAURAV, J. (ORAL)**

1. The petitioner has filed the present writ petition challenging the order dated 05.03.2024 passed by the Central Information Commission in Second Appeal No. CIC/CGHSD/A/2023/608478, whereby his second appeal under Section 19(3) read with Section 18(1) of the Right to Information Act, 2005 (**RTI Act**) came to be dismissed. The petitioner also seeks appropriate directions to the Central Public Information Officer (CPIO), CGHS (HQ), Delhi, to furnish the information sought by him under the RTI Act.
2. The record would indicate that the petitioner was married to Late Smt.

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Ambika on 07.12.2014 according to Hindu rites and ceremonies. It is not in dispute that Smt. Ambika was the daughter of Shri Shyam Singh Khinchee, a retired Central Government official. Due to matrimonial discord, she was residing with her father; however, there was no judicial separation or decree of divorce between the petitioner and his wife. The petitioner asserts that pursuant to order dated 27.02.2020 passed by this Court in Criminal Revision Petition No.24/2020, he was providing monthly maintenance as well as full cashless medical facilities under the ESIC scheme to his wife. Smt. Ambika subsequently expired on 17.03.2021.

3. On 11.06.2020, Shri Shyam Singh Khinchee submitted an application before the Additional Director (HQ), CGHS, Delhi, seeking inclusion of the name of his daughter, Smt. Ambika, as his dependent for the purpose of availing CGHS medical facilities. According to the petitioner, the said request was accompanied by declarations and affidavits stating that Smt. Ambika was separated from her husband and wholly dependent upon her father. The petitioner alleges that such declarations were false and were made despite knowledge of the subsisting marital relationship and the fact that Smt. Ambika was already availing medical benefits under the ESIC scheme. It is the petitioner's case that under the applicable CGHS guidelines, a person cannot simultaneously avail medical facilities under two Government schemes and that the inclusion of Smt. Ambika as a CGHS beneficiary resulted in wrongful monetary claims causing loss to the public exchequer.

4. With a view to obtain details regarding the addition of his wife's name as a dependent under CGHS and the documents submitted in support

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thereof, the petitioner filed an RTI application dated 04.10.2022 before the CPIO, CGHS (HQ), Delhi. The information sought included copies of the application submitted by Shri Shyam Singh Khinchee, affidavits and declarations filed in support thereof, file notings and approvals granted by the CGHS authorities, details of medical claims processed, and action taken on the petitioner's complaint.

5. The CPIO, *vide* reply dated 17.10.2022, denied the information sought in respect of Point Nos. 1 to 8 on the ground that the same pertained to a third party and was exempt from disclosure under Section 8(1)(j) of the RTI Act. Aggrieved thereby, the petitioner preferred a First Appeal on 10.11.2022. The First Appellate Authority, *vide* order dated 30.11.2022, upheld the decision of the CPIO and rejected the appeal.

6. The petitioner thereafter approached the Central Information Commission by way of a second appeal. The Commission, upon consideration, dismissed the appeal *vide* order dated 05.03.2024, reiterating that the information sought pertained to a third party and was exempt under Section 8(1)(j) of the RTI Act.

7. Assailing the said order, the petitioner has approached this Court.

8. The primary contention of the petitioner before this Court is that he, being the husband and legal heir of the deceased Smt. Ambika, cannot be treated as a third party in respect of information concerning her. It is further contended that the information sought pertains to alleged misuse of CGHS benefits and, therefore, involves a larger public interest.



9. *Per contra*, the respondents have taken a stand that the information sought consists of personal details, declarations, medical records and other documents submitted by Shri Shyam Singh Khinchee in respect of his daughter, which squarely fall within the ambit of “personal information” under Section 8(1)(j) of the RTI Act. It is averred that disclosure of such information would amount to unwarranted invasion of privacy and that no demonstrable larger public interest has been established to warrant disclosure.

10. Having considered the matter, it is evident that the information sought by the petitioner primarily relates to documents submitted by Shri Shyam Singh Khinchee and records pertaining to the medical benefits availed by Smt. Ambika. Such information constitutes personal information within the meaning of Section 8(1)(j) of the RTI Act. The said statute carves out a rigid exception only where the competent authority is satisfied that the larger public interest justifies disclosure. In the present case, apart from a general allegation of misuse of CGHS facilities, no material has been placed to demonstrate such overriding public interest.

11. If the petitioner is of the view that false declarations were submitted or that CGHS rules were violated, it is open to him to pursue appropriate remedies before the competent authorities in accordance with law. However, the RTI mechanism cannot be invoked to obtain personal information by a third party in the absence of satisfaction of the statutory requirements.

12. In view of the foregoing, this Court finds no infirmity in the orders passed by the CPIO, the First Appellate Authority, and the Central



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Information Commission.

13. The writ petition is, accordingly, dismissed.

PURUSHAINDR KUMAR KAURAV, J

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