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

+ **W.P.(C) 19616/2025**

SHISH PAL

.....Petitioner

Through: Ms. Indira Goswami, Adv.
(DHCLSC) with Mr. Bhavya Tokas,
and Ms. Shraddha Rawat, Adv.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Appearance not given.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% 20.01.2026

1. Heard learned counsel appearing for the parties.
2. The present petition assails the order dated 03.07.2025 whereby, the petitioner's second appeal against the original order dated 20.12.2023 came to be dismissed by the Central Information Commission ['CIC'].
3. Learned counsel appearing for the petitioner submits that the impugned order is illegal, improper, and contrary to the provisions of the Right to Information Act, 2005 ['RTI Act'] inasmuch as, the CIC has miserably failed to appreciate that the Department is bound to respond/furnish the information which are available in their normal course of business. It is, thus, stated that by no stretch of imagination, it can be accepted that the Department does not have the details of the money spent in engaging private advocates.
4. The aforesaid submissions are strongly opposed by learned counsel



appearing, on advance notice, for the respondents.

5. I have heard the submissions made by learned counsel appearing for the parties and perused the record.

6. The nature of the information which are sought by the petitioner is as under:

“1. In my service matter, how much money has been paid by your department to advocates before the Court for Persons with Disabilities, New Delhi and before the Punjab & Haryana High Court from 10.06.2013 till 12.12.2023? Provide details of each case along with dates, and ensure a certified copy is provided.

2. The First Appellate Authority / Secretary, National Council for Cooperative Training, New Delhi, in his letter No. F. No. 11-1(2)/2022-Pers dated 16.11.2023, has made the following remark: “It is also observed that the Appellant is a habitual RTI Applicant.” Provide the certified copy of the section of the RTI Act, 2005 under which such a remark has been made by the First Appellate Authority / Secretary.

3. The First Appellate Authority / Secretary, NCCT, New Delhi, in his letter No. F. No. 11-1(2)/2022-Pers dated 16.11.2023, has made the following remark: “His basic objective has been found to misuse the provision of the RTI Act.” The applicant wishes to know under which section of the RTI Act, 2005, the First Appellate Authority is empowered to make such a remark while deciding an appeal. If he has any such evidence on the basis of which he concluded that the applicant has misused the RTI Act, 2005, then a certified copy of such evidence must also be provided.”

7. With respect to the information sought in Point No. 1, it has been noted that the Department does not maintain the records of expenditure heads for specific court cases in a particular financial year. Thus, it was submitted by the Department that the information itself was not readily available and maintained by the Department.

8. The said reason assigned by the Department and accepted by the first and second appellate authorities does not seem to be wholly perverse. Unless the petitioner is able to satisfy the Court that the Department is



bound to, under specific statutory provisions or rules, maintain information in a specific and particular way, the Department cannot be directed to cull out details and compile the same for the purpose of furnishing information to the petitioner. It is also stated that there have been multiple cases filed by the petitioner against the Department, from the year 2013 and onwards. Had it been a specific case, the Department still would have been in a position to assist the petitioner.

9. Naturally, there needs to be a balance struck between the right of the petitioner to be informed and the capacities of government institutions and authorities. Practicality demands a certain degree of reasonableness from a claimant requesting information.

10. Looking at the nature of the information requested, the furnishing of which will require the deployment of disproportionate manpower, resources and time, the Court is of the opinion that the information is not required to be submitted to the petitioner.

11. Accordingly, with respect to Point No. 1, the Court does not find any illegality in the opinion expressed by the appellate authority.

12. With respect to the information sought in Point Nos. 2 and 3, it appears that the First Appellate Authority in its order remarked that the appellant is a habitual RTI applicant. The request was made to furnish certified copies of the relevant sections of the RTI Act which would empower the First Appellate Authority to make such a remark.

13. Yet again, there is no such information of this nature which can be provided by the Department. Almost similar is the request in Point No. 3. Certain remarks appear to have been made by the First Appellate Authority and the information is with respect to the rules and regulations empowering



the authority to make such remarks. There cannot be any such information. The authorities, in the process of discharging their official function, make such observations. If any party has any grievance, it can always be challenged in the manner known to law.

14. Under these circumstances, the Court does not find any reason to interfere with the order passed by the authority concerned.

15. Needless to state that if the petitioner files a fresh application either with respect to the information which is readily available or that which the Department is bound to maintain, the same shall be considered on its own merit. Even if the petitioner files an application for inspection of a particular record, let the same be also dealt with as per the extant provisions.

16. Accordingly, the petition stands dismissed.

PURUSHAINDR KUMAR KAURAV, J
JANUARY 20, 2026/P/KSR