2026:AHC:227411

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 38274 of 2024

Anoop Kumar Singh

.....Petitioner(s)

Versus

State Of Up And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Mayank Chandra, Surya Pratap Singh, Suyash Mehrotra
Counsel for Respondent(s)	:	C.S.C., Kunal Ravi Singh, Manjari Singh

Court No. - 36

HON'BLE SAURABH SHYAM SHAMSHERY, J.

1. Heard Sri Hari Om Mishra, advocate holding brief of Sri Surya Pratap Singh, learned counsel for the petitioner and Ms. Manjari Singh, learned counsel for the respondent.

2. The petitioner has filed an application under the Right to Information Act to provide details of contract etc of M/s Khanna Constructions by of an application dated 12.10.2023. The said information was denied on the ground that it was exempted from disclosure of information as provided under Sections 8(d) and 8(j) of the Act.

3. This Court finds that Section 8(d) of the Act appears to be applicable in the present case, as the matter relates to commercial confidence. Therefore, the petitioner is required to demonstrate that a larger public interest warrants the disclosure of the information sought. Admittedly, the application is silent on this aspect.

4. The contention of learned counsel for the petitioner that the definition of "information" under Section 2(f) of the Act also includes a contract is also considered, however, this Court is of the view that the information sought in the present case falls within the ambit of the exemption provided under the aforesaid provision.

5. At this stage, learned counsel for the petitioner submits that the writ petition may be disposed of keeping a liberty open to the petitioner to file a fresh application under the Act, specifically demonstrating the larger public interest involved. It is further submitted that the disposal of the present writ petition may not come in the way of the petitioner in seeking the aforesaid information through a fresh application.

6. Learned counsel for the respondents submits that the principles of *res judicata* may come in the way of the petitioner.

7. I have considered the aforesaid submissions and considering that the impugned

orders are have been denied to grant information as sought and in case, therefore, the principles of res judicata will not come in the way. In case the petitioner is able to demonstrate that a larger public interest warrants the disclosure of the commercial information sought, the competent authority shall consider the fresh application in accordance with law.

8. In view of the aforesaid, this writ petition is disposed of with the aforesaid liberty.

(Saurabh Shyam Shamshery,J.)

November 2, 2026
Ashok Gupta

Digitally signed by :-
ASHOK KUMAR GUPTA
High Court of Judicature at Allahabad