
(2011) 04 AHC CK 0063

In the Allahabad High Court

Case No : Civil Miscellaneous Writ Petition No. 20630 of 2011

Khurshidur Rahman

APPELLANT

Vs

Union of India and Others

RESPONDENT

Date of Decision : 15-04-2011

Acts Referred:

Citation : (2011) 7 ADJ 475

Hon'ble Judges : Ran Vijai Singh, J;Ashok Bhushan, J

Bench : Division Bench

Judgement

1. Heard counsel for the petitioner Sri Ashok Kumar Tiwari has appeared for respondents No. 1 to 4 and Sri B.N. Singh has appeared for respondent No. 5.

2. By this writ petition the petitioner has prayed for quashing the order dated 17.9.2009 passed by respondent No. 4 and the order dated 22.11.2010 passed by Central Information Commission, respondent No. 2 rejecting the appeal filed by the petitioner. The petitioner under right to information Act has made an application on 30.05.2009 seeking certain information with regard to general election of Lok Sabha held in the year 2009. The petitioner again has made an application on 24.6.2009 seeking certain information. It is useful to record the prayer made in the application.

San 2009 KeLok Sabha Chunav Mein Sri Manmohan Singh Ka Pradhan Mantri Banwana Mein Samarthak Rajnaitik Dalo Ke Naam, Sadasyo Ki Sankhya Sahit Avem Bina Sharth Samarthan Dane Wale Rajjaitik Dalo Ka Naam, Sadasyo Ki Sankhya Sahit Batakar Awagat Karein, Ki Ek Dushrey Ka Virodh Mein Lok Sabha Chunav Larhkar Rajnaitik Dal Samarthan Dane Ka Karan Janta Ke Sath Vishwas Pat, Dhoka Dhari Ke Doshi Hai?

3. The said application was considered and petitioner was informed that the information sought is nothing but seeking advise and the question amounts to tendering advice to the private person which cannot be done. The petitioner filed an appeal under the Right to Information Act which was heard and rejected by

the appellate authority vide order dated 17.9.2009. The petitioner approached the Central Information Commission by filing a second appeal which has been rejected by order dated 22nd November, 2010

4. We have perused both the orders passed by the appellate authority as well Central Information Commission. The questions which have been raised by the petitioner could not have been replied since information as sought is not maintained within the definition 2(f) under the Right to Information Act 2005. We are of the view by making such application petitioner has unnecessary wasted the time of the authorities who are entrusted with obligation for providing information. Raising such issues in the writ petition cannot be approved and the writ petition deserves to be dismissed and it is hereby dismissed with costs.