

(2017) 05 DEL CK 0073

In the Delhi High Court

Case No : 3706 of 2017

LT. COL NAVEEN KUMAR ANAND (RETD.)

APPELLANT

Vs

UNION OF INDIA & ORS

RESPONDENT

Date of Decision : 12-05-2017

Acts Referred:

[3998](#)>Constitution of India, [3998-226](#)>Article 226 -
Power of High Courts to Issue certain writs

[6751](#)>Right to Information Act, 2005, [6751-20](#)>Section 20 - Penalties

Citation : (2017) 05 DEL CK 0073

Hon'ble Judges : Sanjeev Sachdeva

Bench : SINGLE BENCH

Final Decision : Dismissed

Judgement

1. The petitioner, by the present petition, seeks a direction to the respondents to provide information sought for by the petitioner by an application dated 10.02.2017.

2. The petitioner, on 10.02.2017, filed an application under the Right to Information Act, 2005 (hereinafter referred to as the Act) with the Directorate General (Resettlement).

3. It is noticed that the said application was sent by post to respondent No.2. Within a period of 33 days, the petitioner filed an appeal before the First Appellate Authority on 15.03.2017.

4. Contending that the appeal of the petitioner has not been decided by the First Appellate Authority, the petitioner has filed the present petition on 24.04.2017 i.e. within a period of 46 days of filing the first appeal before the First Appellate Authority.

5. Without giving a reasonable time to the authorities to act and without filing an appeal before the Central Information Commission (CIC) or an application under

section 20 of the Act before the CIC, the petitioner has filed this Petition.

6. The petitioner seems to be acting in haste in not giving the authorities sufficient time to even respond to his application or decide his first appeal.

7. In my view, the present petition is premature and in the facts not maintainable. The petitioner would have to await the decision of the First Appellate Authority and, thereafter, take remedies under the Act before the CIC. At this juncture, I am not inclined to exercise powers under Article 226 and entertain this petition.

8. The writ petition is, accordingly, dismissed.