

**HIGH COURT OF MADHYA PRADESH; BENCH AT INDORE**

**FORM - 'D'**

**REJECTION ORDER**

**(See Rule 4(2))**

No. RTIA/DR-HCIND/ 04

Indore, Dated 03.01.2015

From:

The Deputy Registrar,  
State Public Information Officer,  
High Court of M.P., Bench at Indore.

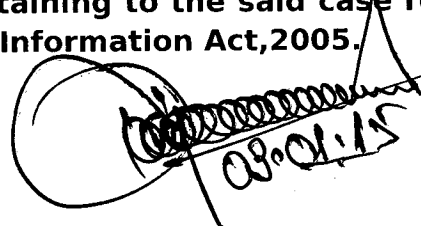
To,

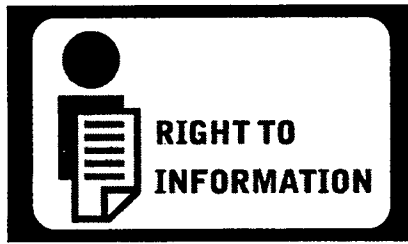
Mr. Dilip Singh Sengar,  
120, Sukhdev Nagar,  
Airport Road,  
INDORE (M.P.)

Please refer to your application dated 03.12.2014 registered at our I.D.No 46/2014-15, addressed to the undersigned regarding supply of information under Right to Information Act, 2005 about providing you the Certified Copies of F.I.R. + Copies of all the pages of I.A.No.6459/2014, date of filing of said I.A.No.6459/2014 dated 19.09.2014. filed in Cr.Rev.No.1310/2013 of this Bench Registry and Memo No. RTIA/DR-HCIND/3282 & 3283 dated 09/12/2014 of this authority to you and counsel for the appellant also, requesting to appear in person or through an agent authorized, in this regard, before this Authority on or before 15/12/2014 regarding disclosure of desired information as per your above referred application, as Third Party Information.

You were also informed that in the event of your failure to appear as above, the matter may be decided ex-parte having regard to the materials on record.

As already informed, the office of the undersigned has received objection (in writing) dated 31.12.2014 from Mr. Dharmendra Hardia Advocate, Counsel for the Applicant in Cr.Rev.No.1310/2013 taking exceptions to disclosure of information pertaining to the said case relying on provisions under Section 8(j) of Right to Information Act, 2005.

  
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- 2 -

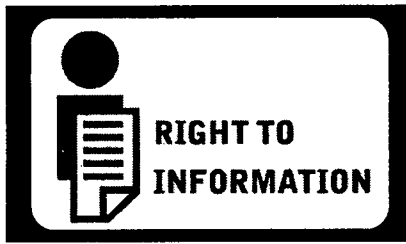
In order to arrive at a fair decision, Mr. Dharmendra Hardia Advocate was also requested like you were, to appear in person or through an agent authorized by him in this regard before this Authority for his pleadings in support of his objection wherein reliance was placed upon provisions of Section 8(j) of Right to Information Act,2005. He was informed alike that in the event of his failure to appear as above, the matter may be decided ex-parte having regard to the materials on record.

Thus the matter is proceeded on the basis of materials on record i.e. your application under Right to Information Act,2005 and the objection raised by Mr. Dharmendra Hardia Advocate, Counsel for the Applicant in Cr.Rev.No.1310/2013.

Considering the aforesaid submission/objection raised by Mr. Dharmendra Hardia, Advocate, in writing and in person, the information as sought-for by Mr. Dilip Singh Sengar cannot be supplied due to following reasons :-

- (1) The information as sought-for by you pertains to Cr.Rev.No.1310/2013 (entitled Raju @ Chhotu Pahalwan Vs. State of M.P.) in you are in the capacity of stranger, being you are neither applicant nor Respondent/non-applicant in the said case. The information asked for is about personal matters of an individual, there seems no public interest involved in the disclosure of the said information to the you as an stranger.
- (2) This is noteworthy here that the proceedings in Criminal Revision No.1310/13 are still pending before this Hon'ble Court, hence the information sought by the you can not be disclosed without the permission of the Court.
- (3) In view of the objections taken by Mr.Dharmendra Hardia Advocate counsel for the applicant in Cr.Rev.No.1310/2013 against the disclosure of information pertaining to the said pending case, the information has thus turned into a "Third Party Information" as no larger public interest appears to warrant the disclosure of the information.
- (4) After treating the information as Third Party Information, it is considered by the undersigned that the disclosure of such information would harm the position of the third party and is, therefore, exempted from disclosure.
- (5) The subject matter of his application made under RTI Act,2005 appears to be squarely covered under provisions of Section 8(j) of Right to Information Act,2005 and therefore, the disclosure of which is considered exempted.

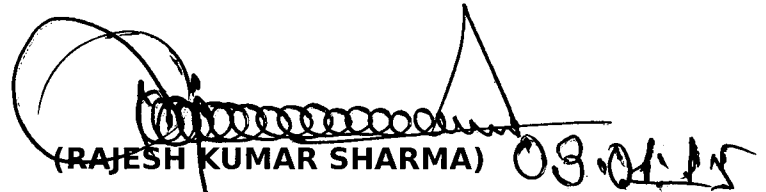
  
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- 3 -

The applicant may accordingly be informed through a Rejection Order in Form -'D' informing him further about the provisions of appeal as per "High Court of M.P.(Right to Information) Rules,2006.

As per Section 19 of the Right to Information Act,2005, you may file an appeal to the Appellate Authority (Principal Registrar, High Court of M.P., Indore Bench) within 30 days of the issue of this order.

  
(RAJESH KUMAR SHARMA) 08.01.15

DEPUTY REGISTRAR

STATE PUBLIC INFORMATION OFFICER,

HIGH COURT OF M.P.

BENCH AT INDORE.