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HIGH COURT OF MADHYA PRADESH: BENCH AT INDORE

FORM - 'D'
REJECTION ORDER
(See Rule 4(2))

No. RTIA/DR-HCIND/ 1174

Indore, Dated 30-07-2018

From:

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

To,

Mr. Rajendra Singh Bapna S/o. Mr. Tejsingh Bapna,
Aged 53 years, Occupation : Unemployed,
R/o.104 Hyde Park, II- Meera Path,
INDORE -3(M.P.)

Please refer to your application dated 11-06-2018, originally addressed to SPIO, High Court of M.P., Jabalpur, registered at I.D.No.704/2018 dt. 02.07.2018 at Jabalpur, transferred to the undersigned vide Form "C" D.No. 896 dated 09.07.2018, received Vide Inward No. 1713 dated 16-07-2018 registered at Indore at our I.D.No 21/2018-19 dated 16.07.2018, regarding supply of information under Right to Information Act,2005. As per the application you have sought the following information:-

Q. Since a senior judge under your administrative control- has extended undue favor by violating principal of simple and established law point and technically being wrong, let me know that if high court will help me to get my case in the category of expedite case with early date ?

Brief of case are following--- (Details are in your records with I.D.363/2018).

I had filed a Civil Suit No. 232601-34927-2016 for damages and this was illegally dismissed at the stage of evidence by ADJ first Mr. Ajay Singh upon application U/O. 7 Rule 11 C.P.C. by defendant.

I have filed First Appeal No.875/2017 in High Court at Indore against above impugned order and which was admitted and my request for Final Hearing in Humanitarian ground was not accepted.

As per present trends it will take 7-8 years in due course for case to come on board and this involves a short law point about the maintainability or order 7 Rule 11 of C.P.C. after which case has to be decided on merits if remanded back to lower court.

Despite unemployment I have deposited required stamp duty of Rs.1,50,000/- TWICE.

As desired by you, the information cannot be supplied due to the following reasons:-

- (1) As per Rule 3 (2) of the High Court of M.P. (Right to information) Rules 2006 every application shall be made for one particular item of information only but multiple information have been sought by you.
- (2) The RTI Application submitted by you seems to be a complaint of senior judge to his junior officer for which RTI is not a proper forum because such type of complaints in the shape of RTI Application especially in the matter pertaining to judicial decisions are per se illegal and unwarranted.
- (3) By the instant RTI Application you have sought the advice, consultation and opinion of the undersigned regarding your First appeal no. 875/2017 (service matter in high court which is admitted for hearing in due course and will now take 7-10 years to come on board, which cannot be opined because under the RTI Act, an information seeker cannot demand to know from the public authority especially in the matter pertaining to judicial decisions that as to when his case would be decided. Such queries are beyond the scope of RTI Act and outside the purview of Section 2(f).

P.T.O.
30-07-18

(2)

- (4) The SPIO is not expected to answer queries which are not specific and properly presented and do not in fact exist. It is the mandate of law that information which is not available on records cannot be disseminated.

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.

O/c.


(RAJESH KUMAR SHARMA)
DEPUTY REGISTRAR & SPIO
HIGH COURT OF M.P., BENCH AT INDORE. 30/07/18


Endt.No.RTIA/DR-HCIND/ 1175

Indore, Dated 30-07-2018

COPY FORWARDED TO:-

The Registrar(J-I) & PIO, High Court of M.P., Jabalpur for kind information.

O/c.


(RAJESH KUMAR SHARMA)
D.R. & SPIO,
HIGH COURT OF M.P., BENCH AT INDORE. 30/07/18