

Central Vigilance Commission vs Krishan Kumar on 3 August, 2021

Author: Rekha Palli

Bench: Rekha Palli

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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 5105/2021 & CM APPL.15643/2021(stay)

CENTRAL VIGILANCE COMMISSION

..... Petitioner

Through Ms.Tatini Basu, Adv.

versus

KRISHAN KUMAR

..... Respondent

Through Mr.Abhishek, Adv for Ms.Anchal
Sharma, Adv.

Mr.Gaurang Kanth, Adv for CIC.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% 03.08.2021

1. In response to a query by this Court, learned counsel for the petitioner submits that the petitioner is not willing to provide a redacted version of the investigation copy to the RTI applicant.

2. At this stage, learned counsel for the respondent submits that the very basis of filing the present petition is misplaced as the respondent's complaint was never treated as PIDPI Complaint, for which purpose, he draws my attention to Annexure R-2 of its counter affidavit.

3. Vide order dated 03.05.2021, this Court, after noticing the fact that the issue involved in the present petition was purely a question of law, had directed the parties to file written submissions. The same has not been done. In the interest of justice, further three weeks' time is granted to the parties to file their respective written submissions - specifically dealing with the interplay between the provisions of the Right to Information Act, 2005 and the Resolution dated 21.04.2004 passed by the Ministry of Personnel, Public Grievances and Pensions. Since the Central Information Commission (CIC), which had passed the impugned order, has not been arrayed as party respondent - it is, accordingly, not required to file any written submissions.

4. While adjourning the matter to 10.11.2021 to permit the parties to file their written submissions, it is made clear that this Court has not stayed the operation of the impugned order.

REKHA PALLI, J AUGUST 3, 2021 sr