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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **LPA 577/2024**

INDIAN INSTITUTE OF FOREIGN TRADEAppellant

Through: Mrs.Ginny J.Rautray with
Mr.Navdeep Singh, Ms.Devika
Thakur and Mr.Ranvijay Singh,
Advocates.

versus

KAMAL JIT CHIBBERRespondent

Through: None

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

% **15.07.2024**

C.M.No.39027/2024

1. Exemption allowed, subject to all just exceptions.
2. Accordingly, the application stands disposed of.

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3. Present appeal has been filed seeking a direction to set aside the judgment dated 26th April, 2024 passed in W.P.(C) 2830/2016 whereby the learned Single Judge of this Court upheld the order of the Central Information Commissioner (CIC) and directed the appellant-institute to provide a response to the Right to Information Application filed by the respondent by stating that the information sought does not fall within the exemption from disclosure of information provided under Section 8 of the RTI Act, 2005.



4. Learned counsel for the appellant states that the respondent, an ex-employee of the appellant-institute has been sending vindictive, malicious and irrelevant RTIs to the appellant with the motive of inconveniencing, disrupting and defaming the various authorities of the institute. She further states that it is purely an educational institution with few human and financial resources and it is impracticable and infeasible for them to dedicate substantive resources to answering frivolous RTI applications. She states that each application of the respondent has fifty questions on an average and the questions are pointless and impractical to answer and the learned CIC had himself in the past cautioned the respondent to not abuse the provisions of the RTI Act, 2005.

5. She also states that the learned Single Judge has failed to appreciate that at no point did they state that they will not show or provide the respondent with the required information; however several opportunities were given to the respondent to inspect the bulky records at his institute, but he never demonstrated any interest in doing so, which is reflective of his demeanour. She lastly states that that the learned single Judge failed to appreciate Section 7(9) of the RTI Act.

6. Issue notice to the respondent by all modes of service including *dasti*, returnable on 18th November, 2024.

7. Till further orders, there shall be a stay of the impugned order and judgement dated 26th April, 2024.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

JULY 15, 2024/KA