

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.1023 OF 2017

Vijay Kondayya Manthena ... Petitioner
Vs.
Public Information Officer, Administrative Officer,
Tax Assessment Department and others ... Respondents

Mr. S. G. Kudle a/w. Mr. Kishor Jadhav for Petitioner.

Mr. Yashodeep Deshmukh a/w. Mr. Rohit Gaikwad i/b. Ms. Komal Punjabi for Respondent Nos.1 and 2 - BMC.

Ms. Jyoti Chavan, Additional GP a/w. Mr. Manish Upadhye, AGP for Respondent Nos.3 and 4 - State.

**CORAM : MANISH PITALE &
SHREERAM V. SHIRSAT, JJ.**

DATE : JANUARY 09, 2026

P.C. :

1. The petitioner is aggrieved by the act on the part of the Public Information Officer of the respondent Municipal Corporation in failing to furnish information to the petitioner under the provisions of the Right to Information Act, 2005.

2. We find that the first Appellate Authority, in its order, had issued positive direction for providing information sought by the petitioner, within a period of 15 days. It appears that the petitioner was not satisfied with the tenor of the order and hence, he filed a further appeal before respondent No.3 - State Information Commissioner. The said appeal was dismissed giving rise to the present writ petition.

3. The petitioner had sought information and details pertaining to a Court case along with its number and date of order that led to issuance of a circular dated 17.06.1995 by the respondent - Municipal Corporation.

4. In the reply affidavit filed on behalf of the respondent - Municipal Corporation, it is specifically stated that pursuant to the direction issued by the first Appellate Authority, necessary steps were taken and it was found that the circular was not issued by the Department to which the application was made on behalf of the petitioner and that it was actually issued by the Deputy Chief Engineer (DP) of the Municipal Corporation.

5. We find that relegating the petitioner now to move a fresh application before the Deputy Chief Engineer (DP) of the respondent Municipal Corporation would amount to the petitioner going round and round for the information sought from respondent No.1. It would be appropriate to issue necessary direction to the respondent Municipal Corporation to file additional affidavit and to place the information before this Court.

6. In view of the above, the respondent Municipal Corporation shall file an additional affidavit, referring to the records maintained by the Deputy Chief Engineer (DP) in order to give the details of the case number and the date of order that eventually led to issuance of the aforesaid circular dated 17.06.1995.

7. The additional affidavit be filed within three weeks from today.

8. List for further consideration on 03.02.2026, High on Board.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)

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