



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.G.S. KAMAL

WRIT PETITION NO. 23726 OF 2023 (GM-RES)

BETWEEN:

SMT. BASANTHI
AGED ABOUT 44 YEARS,
PUBLIC INFORMATION OFFICER AND
ADDITIONAL LAND ACQUISITION OFFICER,
BANGALORE DEVELOPMENT
AUTHORITY MAIN OFFICE,
T.CHOWDAIAH ROAD,
KUMARA PARK WEST,
BANGALORE-560 020.

...PETITIONER

(BY SRI. MURUGESH V CHARATI.,ADVOCATE)

AND:

STATE INFORMATION COMMISSIONER
KARNATAKA INFORMATION COMMISSION,
ROOM NO. 002, GROUND FLOOR,
MAHITHI SOUDHA, DR.DEVARAJA URS ROAD,
OPPOSITE VIDHANA SOUDHA WEST GATE-02
BANGALORE-560 001.

...RESPONDENT

(BY SRI. SHARATH GOWDA G B.,ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO i) SET ASIDE THE ORDER DATED 22/08/2022 PASSED BY THE RESPONDENT IN NO. KaMaaHa 7730 APL 2022 WHICH IS PRODUCED AND MARKED AS ANNEXURE-C TO THE WP. ii) SET ASIDE THE ORDER DATED 27/10/2022 PASSED BY THE RESPONDENT IN NO. KaMaaAa 7730 IPL 2022 WHICH IS





PRODUCED AND MARKED AS ANNEXURE-D TO THE WRIT PETITION AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE M.G.S. KAMAL

ORAL ORDER

Petitioner is before this Court being aggrieved by the portion of the order dated 27.10.2022 produced at Annexure-D in terms of which the respondent No.1 has directed the Chief Secretary, Government of Karnataka to initiate disciplinary proceedings against the petitioner for alleged violation of provisions of Sections 6 and 7 of the Right to Information Act, 2005 resulting in penalty proceedings initiated thereon. That by said order it is further directed that report of the disciplinary proceedings initiated against the petitioner be submitted within 15 days from the said order.

2. Learned counsel for the petitioner submits that an application dated 04.10.2021 had been made by complainant /certain private individual seeking information with regard to acquisition of land in Sy.No.29/3 of Nagashetihalli village,



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Kasaba Hobli, Bangalore South Taluk and the information as sought for was furnished on 24.11.2022. He submits that there appears to have been delay in furnishing the information, which was duly explained by the petitioner to the Commissioner in her communication dated 29.11.2022 produced at Annexure-L. Notwithstanding the explanation so furnished, the Commissioner proceeded to pass the order which is not only harsh but also the one without authority. He refers to Section 20(2) of the Right to Information Act, 2005 providing for penalty proceedings. Referring to the same, he submits all that the respondent No.1/Information Commission could have done was for recommendation of disciplinary action and could not have called for compliance of the said order. Therefore, he submits that the order to that extent is unjustifiable and untenable.

3. Learned counsel for the respondent No.1/Commissioner does not dispute this legal proposition. He submits that penalty having paid, the disciplinary action is required to be taken and recommendation in this regard has



been made and impugned order will have to be read only to that extent.

4. Submission is taken on record.

5. In the light of the submissions made by the counsel for the respondent and information having been provided to the complainant and petitioner having deposited the penalty amount as directed by the respondent No.1, the impugned order dated 27.10.2022 produced at Annexure-D to the extent directing the Chief Secretary, Government of Karnataka to submit the report regarding disciplinary proceedings having taken against the petitioner, is quashed. Petition is ***disposed of*** accordingly.

Sd/-
(M.G.S. KAMAL)
JUDGE