



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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LPA-1120-2022 (O&M)

DATE OF DECISION: 23.04.2026

NITIN MITTOO

... Appellant(s)

VERSUS

**CHIEF INFORMATION COMMISSION
AND OTHERS**

... Respondents

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2026:PHHC:061988-DB



LPA-3516-2025

DR GOPAL KRISHAN GUPTA

...Appellant(s)

VERSUS

**CENTRAL INFORMATION COMMISSION
NEW DELHI AND OTHERS**

....Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr. Nitin Mittoo - appellant in person in LPA-1120-2022.
(through V.C.)

Mr. Satya Pal Jain, Additional Solicitor General of India with
Mr. Akash Vashisth, Advocate for respondents-UOI.

Mr. Gopal Krishan Gupta – appellant in person in LPA-3516-2025.

Mr. Vikram Bajaj, Senior Panel Counsel for respondents
in LPA-3516-2025.

HARSIMRAN SINGH SETHI, J. (ORAL)

Both the appeals, the details of which are mentioned in the heading,
involve common point of law and common set of facts, hence, they are being dealt



together. For the sake of convenience, the facts are being taken from LPA-1120-2022.

2. In the present case, the challenge is to the order passed by the learned Single Judge dated 26.09.2022 by which, the writ petition filed by petitioner(appellant herein) challenging the order dated 14.02.2022 passed by the Central Information Commission, New Delhi, has been dismissed on the ground that same is not maintainable within the jurisdiction of the Punjab and Haryana High Court, Chandigarh as no cause of action arose in the writ jurisdiction of this Court.

3. The appellants who appear in person submits that though, the information was sought from the Central Public Information Officer in the office of the Prime Minister vide application dated 07.06.2020 seeking certain information, which information was not provided on the ground that "CARE FUND" is not a public authority, which led to filing of the first appeal under Right to Information Act, 2005 before the Central Information Commission, New Delhi. The First Appellate Authority also did not accede to the request of the appellant on the same ground and despite this, the second appeal was also preferred which was also dismissed which led to the filing of the writ petition before the learned Single Judge within the jurisdiction of the Punjab and Haryana High Court, Chandigarh. The learned Single Judge held that as not only the institution from which information was sought falls within the jurisdiction of the Delhi High Court but even the order which was passed by the Central Information Commission declining the information sought was situated in New Delhi and this Court will have no jurisdiction to entertain the plea raised at the hands of the appellant so as to challenge the non supply of the information sought by him.

4. Feeling aggrieved against order passed by learned Single Judge, the



present appeal has been preferred by the appellant.

5. The appellants argue that though, the office from which the information was sought, is in Delhi and even the Central Information Commission who had rejected the plea of appellant seeking information is in Delhi but, as the appellant resides within the jurisdiction of this Court, they have the authority to file a writ petition challenging an order passed by an authority outside the jurisdiction of this Court even though, the grievance also relates to an office which is situated outside the territorial jurisdiction of this High Court. The reliance is being placed upon the judgment of the Hon'ble Supreme Court of India in Civil Appeal No.3630 of 2020 titled ***"Shanti Devi alias Shanti Mishra vs. Union of India and others."***

6. Learned counsel appearing on behalf of respondent-Union of India submits that the first issue which needs to be decided is that whether, the office from which the information was being sought falls within the jurisdiction of this Court keeping in view the fact that even the Central Information Commission from which information was being sought after denial of said information from said office is situated at Delhi, and the impugned orders passed by Central Information Commission were passed outside the jurisdiction of this Court. The learned counsel further submits that the view taken by the learned Single Judge is perfectly valid and legal so as to direct the appellant to avail the appropriate remedy before the appropriate forum.

7. We have heard the appellant in person as well as the learned counsel for the respondents and have gone through the record with their able assistance.

8. The jurisdiction of Court is to be seen keeping in view the facts of each and every case. In the present case, the information was being sought from the Prime Minister's office which is situated in New Delhi. The said information



was not supplied placing reliance upon certain provisions of Right to Information Act on the ground that “PM CARES FUND” does not fall under the ambit of public authority aggrieved from which, the appellant approached the Central Information Commission which is also situated in New Delhi. Once, all the proceedings occurred outside the territorial jurisdiction of this Court, merely that the appellants happen to reside within the territorial jurisdiction of this Court will not give them any liberty to avail the appropriate remedy against the denial of information before this Court. The jurisdiction is to be seen keeping in view the situation of respondents especially when, the office from which the information is being sought is beyond the territorial jurisdiction of this Court.

9. The reliance is being placed by the appellant in *Shanti Devi's case (supra)*, it should be noted that facts of the said case and present one are entirely different. It may be noticed that State of Jharkhand was created after bifurcating State of Bihar in the year 2000. Certain employees who earlier fell within the jurisdiction of Bihar, fell within the jurisdiction of State of Jharkhand after such bifurcation and certain pensionary benefits were being sought by such employee and the issue was whether an employee who was initially with the Government of Bihar but after bifurcation of State of Bihar became part of State of Jharkhand, and had retired, should be made to run from one State to another to seek the pensionary benefit. The situation in the present case is entirely different as no cause of action had taken place at any given point of time within the territorial jurisdiction of this Court hence, applying the judgment in *Shanti Devi's case (supra)*, in the facts and circumstances of the present case is not made out.

10. The appellant submits that the order so passed by the authority concerned denying supply of information sought was conveyed to him within the jurisdiction of this Court as he is the resident of Punjab. In case, such argument is



accepted then, even the Information Commission, Punjab should be treated as having jurisdiction with regard to the matters relating to the jurisdiction of Central Information Commission, Delhi, which is not correct as even if the order passed by an office which is situated outside the territorial jurisdiction of this Court is conveyed within the territorial jurisdiction of this Court, the *ipso facto* jurisdiction cannot be assumed by the Court. The facts have to be seen still.

11. In the present case, the facts which have been detailed hereinbefore will not entitle the appellant to invoke the jurisdiction of this Court in the facts and circumstances of the present case.

12. Keeping in view the above, no ground is made out for any interference by this Court. The appellant will be free to avail remedy before appropriate forum in case being aggrieved by any action of any authority situated outside the territorial jurisdiction of this Court.

13. The present appeals stand dismissed.

14. All pending miscellaneous application(s), if any, shall also stand disposed of.

15. A photocopy of this order be also placed on the file of connected case.

(HARSIMRAN SINGH SETHI)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

23.04.2026
sapna adhikari

Whether speaking/reasoned	:	Yes
Whether reportable	:	No