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

+ **W.P.(C) 5334/2011**

CENTRAL BUREAU OF INVESTIGATION Petitioner

Through: Mr. Prasanta Varma, SPP of CBI with
Mr. Hiteshi, Mr. Amrit Singh,
Advocates (M:
7503000714/9818076828).

versus

S.S.RANAWAT Respondent

Through: None.

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WITH

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W.P.(C) 2420/2016

MAN SINGH Petitioner

Through: Ms. Konika Bose and Mr. Vedant
Tiwari, Advocates (M:
7007437303/9711104013).

versus

CENTRAL INFORMATION COMMISSION
& ANR

..... Respondents

Through: Mr. Prasanta Varma, SPP of CBI with
Mr. Hiteshi, Mr. Amrit Singh,
Advocates (M:
7503000714/9818076828).

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WITH

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W.P.(C) 4538/2021

MANJIT SINGH BALI Petitioner

Through: Petitioner in person.

versus

CENTRAL PUBLIC INFORMATION OFFICER (CPIO),
CENTRAL BUREAU OF INVESTIGATION &
ANR...

..Respondents

Through: Ms. Anubha Bhardwaj, SPP for CBI

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AND

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W.P.(C) 4540/2021

MANJIT SINGH BALI Petitioner



Through: Petitioner in person.
versus

CENTRAL PUBLIC INFORMATION OFFICER (CPIO),
CENTRAL BUREAU OF INVESTIGATION
AND ANR.

..... Respondents

Through: Ms. Anubha Bhardwaj, SPP for CBI

CORAM:
JUSTICE PRATHIBA M. SINGH
ORDER
% 04.01.2023

1. This hearing has been done through hybrid mode.
2. The present four petitions have been filed in respect of the disclosure of information under the Right to Information Act, 2005 (“RTI Act”) by the Central Bureau of Investigation (“CBI”) and the Department of Personnel and Training (“DoPT”). The CBI has relied upon Section 8(1)(g) of the RTI Act in *W.P.(C) 5334/2011 and W.P.(C)2420/2016*, and upon 8(1)(h) of the RTI Act in *W.P.(C) 4538/2021 and W.P.(C) 4540/2021* while rejecting the RTI applications.

W.P.(C) 5334/2011 & W.P.(C)2420/2016

3. In the present petition, the RTI Applicant has sought details relating to the following information:-

- 1. File notings of the appointment as Director, CBI, New Delhi, of the existing and the then Director of CBI.*
- 2. List of existing CBI officials working in New Delhi & Mumbai with their permanent & existing addresses and their movable and immovable property with sources of earning during last ten years.*

4. It is noticed that, vide impugned order dated 4th July, 2011, the Central Information Commission (“CIC”) has directed disclosure of the



information sought by the RTI Applicant. The said direction was stayed by this Court, vide order dated 28th July, 2011.

5. Insofar as the information sought at serial no.1 is concerned, it is unclear as to who possesses the said information. Insofar as the information sought at serial no.2 is concerned, the stand of the CBI is that disclosure of the said information would be prejudicial to its employees.

6. It is also noticed that the RTI application was addressed to the Secretary, DOPT, but the impugned order has been passed by the CIC directing the CBI to disclose the said information. The DOPT has not been made a party to the present petition. Let Id. Counsel for the CBI obtain instructions on these aspects and make submissions on the next date of hearing.

W.P.(C) 4538/2021 & W.P.(C) 4540/2021

7. Ld. Counsel for the CBI submits that she has been recently engaged and seeks an adjournment to argue the matter.

8. The Petitioner who appears in person submits that the information sought by him is being withheld on the ground of Section 8(1)(h) of the RTI Act. He relies upon various decisions of this Court to argue that it is not sufficient for the CBI to simply state that under Section 8(1)(h) a pending investigation would be impeded, and therefore, the information cannot be disclosed. He submits that the manner in which the investigation would be impeded on account of the disclosure of information has to be spelt out.

W.P.(C) 5334/2011, W.P.(C) 2420/2016,

W.P.(C) 4538/2021, W.P.(C) 4540/2021

9. Considering that one of the present petitions is more than eleven years old, Id. Counsels for the CBI shall be prepared to make their submissions on



the next date of hearing.

10. It is made clear that no further adjournments shall be granted in these matters.

11. List for hearing on 1st May, 2023, at top of board.

PRATHIBA M. SINGH, J.

JANUARY 4, 2023
MR/AD