

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 9928 of 2026**

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VALA JODHUBHAI GOLANBHAI
Versus
RTI OFFICER & ORS.

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Appearance:
THAKKAR AND PAHWA ADVOCATES(1357) for the Petitioner(s) No. 1
MR SHIVANG M SHAH(5916) for the Respondent(s) No. 3

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CORAM: HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 31/07/2026

ORDER

1. Heard learned advocate Ms. Simran Pahwa for the petitioner and learned advocate Mr. Shivang Shah for the respondents.

2. By way of the present petition, the petitioner has prayed for quashing and setting aside the impugned order dated 08.04.2026 passed by respondent No. 3 in Appeal No. A/6465 of 2025. The petitioner has further prayed for a direction to the respondents to furnish the information sought under the Right to Information Act, along with Form K, as annexed at Annexures B and C, respectively.

3. By the impugned order dated 08.04.2026, respondent No. 3 rejected the petitioner's second appeal after recording that

the petitioner had been called upon to remain present and specify the exact information sought by him from the bulky records. It was further recorded that, for the purpose of inspecting the documents, the petitioner visited the office of Nagdala Gram Panchayat along with six to seven persons and insisted that the Talati-cum-Mantri show the records to all the accompanying persons. As the Talati-cum-Mantri refused to accede to such demand, it was alleged that the petitioner and the persons accompanying him misbehaved with the lady Talati-cum-Mantri. It was further recorded that when the lady employee started recording the incident on her mobile phone and informed them that the police would be called, they left the office after allegedly threatening her. Taking note of the aforesaid facts and the conduct of the petitioner, respondent No. 3 dismissed the petitioner's second appeal.

4. Today, learned advocate Ms. Pahwa has tendered an affidavit-cum-undertaking of the petitioner, which reads as under;

AFFIDAVIT CUM UNDERTAKING

“I, Vala Jodhubhai Golanbhai, Aged 74 years, Residing at Vada Sheri, Nagadla, Gir-362710, do hereby solemnly affirm and state on oath as under :-

1. I am the petitioner in the memo of petition. I am fully conversant with the facts of the case and duly competent to file this affidavit. I am filing this affidavit-cum-undertaking apropos to the oral directions given by this Hon'ble Court.

2. Without prejudice to the contentions raised in the petition, the deponent undertakes as follows:

(a) That the deponent shall conduct himself in a cordial and courteous manner while visiting the office of the RTI Officer for the purpose of receiving the information sought.

(b) That the deponent shall not carry any electronic devices, including mobile phones, cameras, or recording equipment, at the time of such visit and shall receive the information sought with utmost integrity and good faith.

(c) That the deponent shall not cause any disturbance, obstruction, or inconvenience to the RTI Officer or the functioning of the said office at the time of receiving the information.

(d) That the deponent shall be accompanied by person conversant with the contents and language of the information so provided.

(e) That the deponent undertakes to abide by the above in good faith and shall not deviate from the same.

3. The contents of this affidavit are true and correct to the best of the deponent's knowledge, information and belief, and nothing material has been concealed therefrom.

Solemnly affirmed at A'bad on this 29 day of July, 2026.

Sd-

(Deponent)''

5. Pursuant to the affidavit-cum-undertaking, learned advocate Mr. Shivang Shah has vehemently opposed the petition on the ground that the petitioner seeks permission to be accompanied by at least one person during the inspection, contending that the petitioner is not well conversant with the language and contents of the information sought.

6. Considering the aforesaid facts, if the petitioner himself is not conversant with the language or the contents of the information sought, prima facie, permitting another person to accompany him during the inspection would, in effect, amount

to providing the information to a third party. This gives rise to a prima facie impression that the petitioner is merely acting as a pawn for such third party, which is not the object or purpose of the Right to Information Act. However, in view of the assurance given by the petitioner by way of the affidavit-cum-undertaking, and considering that the petitioner was denied inspection of the records on account of his alleged misbehaviour with the concerned officer, the impugned order dated 08.04.2026 is hereby quashed and set aside. It is, however, clarified that the petitioner shall be permitted to inspect the records only if he himself undertakes the inspection and does not insist upon any other person accompanying him during such inspection. No information shall be furnished or inspection permitted unless the petitioner personally inspects the records without the presence of any accompanying person.

7. In view of the aforesaid directions, the impugned order dated 08.04.2026 is hereby quashed and set aside. The concerned respondent is directed to permit the petitioner to inspect the records and thereafter provide the information sought by the petitioner within a period of one month from today. It is clarified that only the petitioner shall be permitted to inspect the records, and no other person shall be allowed to

accompany the petitioner inside the office of the concerned respondent. Upon completion of the inspection, the petitioner shall be provided with photocopies of such documents as he specifically seeks from the records inspected, upon payment of the prescribed charges.

8. With the above observations and directions, the present petition stands disposed of.

BHAVIN MEHTA

(NIRZAR S. DESAI,J)