



IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL
THE HON'BLE CHIEF JUSTICE MR. MANOJ KUMAR GUPTA
AND
THE HON'BLE JUSTICE MR. SUBHASH UPADHYAY
Special Appeal No.283 of 2026
6th July, 2026

Vijendra Kumar

-----Appellant

Versus

State of Uttarakhand and Others

----Respondents

Presence:-

Mr. Vinod Nautiyal, learned counsel for the appellant.

Mr. B.P.S. Mer, learned Standing Counsel for the State of Uttarakhand.

JUDGMENT : (per Mr. Manoj Kumar Gupta C. J.)

1. The present appeal is directed against the order of learned Single Judge dated 20.05.2026 by which the writ petition filed by the writ petitioner challenging the order dated 01.04.2026 passed by Chief Information Commissioner in Appeal No.44495/2025-26 (Vijendra Kumar Vs. Public Information Officer and others) has been dismissed.

2. The appellant is the husband of respondent no.4. Admittedly, matrimonial disputes are pending between them before the Family Court. The appellant had sought information under Right to Information Act from the Public Information Officer pertaining to the service of respondent no.4 as an Assistant Teacher in a Government Junior High School. Respondent no.4 opposed the application stating that the appellant is seeking the said



information with ulterior motives. It was her specific case that he had got filed various complaints against her before different authorities which were wholly frivolous and the same has resulted in grave mental harassment to the respondent.

3. The Public Information Officer, having regard to the objection of respondent no.4, rejected the application filed by the appellant under Right to Information Act. The appellant, thereafter, preferred the appeal and when it was not decided within the statutory timeline he preferred the second appeal which was dismissed by the Chief Information Commissioner by order dated 01.04.2026 impugned in the writ petition.

4. The learned Single Judge has taken specific note of the objection of respondent no.4 and the fact that the appellant had been making complaints against respondent no.4 before different authorities resulting in her mental harassment.

5. Learned Single Judge has also taken into consideration the provisions of Section 8(1)(j) and Section 11 of the Right to Information Act in holding that when information is sought in respect of a third party and if such third party objects to the prayer for information, then the Central Public Information Officer or the State Public Information Officer, as the case may be, are



empowered to decide whether or not to disclose the information.

6. The learned Single Judge has held that since it is not in dispute that the relationship between the appellant and respondent no.4 is not cordial and matrimonial disputes are pending before the Family Court, therefore, the decision of the authorities under the Act declining to furnish the information sought cannot be said to suffer from any infirmity to warrant interference in the writ jurisdiction.

7. Learned counsel for the appellant submits that the issue relating to large number of appointment of Assistant Teachers on basis of manipulated documents is subject matter of consideration in a PIL and a Special Investigation Team is investigating the matter. He submits that respondent no.4 has also procured appointment by manipulation, therefore, it was in public interest that the information sought by the appellant is disclosed.

8. The public interest litigation is still pending. There is no evidence annexed with the writ petition to establish, even *prima facie*, that appointment was obtained by respondent no.4 by any foul means.

9. Respondent no.4, in relation to the information sought, has strongly objected to the request of the appellant stating that in the past also the appellant had



got complaints filed against her to subject her to harassment.

10. As at present, we find no such material on record to indicate involvement of any public interest, which may outweigh the right of privacy of the private party, therefore, we find no good ground to interfere with the orders passed by the authorities under the Act as well as the order of the learned Single Judge.

11. Accordingly, the appeal is dismissed.

12. Pending application, if any, also stands disposed of.

(MANOJ KUMAR GUPTA, C. J.)

(SUBHASH UPADHYAY, J.)

Dated: 06.07.2026
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