



2026:DHC:3150



\$~10

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

+ **W.P.(C) 6860/2018 & CM APPL. 26067/2018**

Date of Decision: **07.04.2026**

IN THE MATTER OF:

HOUSING & URBAN DEVELOPMENT CORPORATION LTD

.....Petitioner

Through: Mr. Rohit Sharma, Mr. Nikhil Purohit, Mr. Jatin Lalwani and Mr. Jay Rawat, Advs.

versus

VISHWAS BHAMBURKARRespondent

Through: Mr. Ashish K Dixit, CGSC with Mr. Umar Hashmi, Ms. Iqra Sheikh, Mr. Gautam Yadav and Ms. Vani Sharma, Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

J U D G E M E N T

PURUSHAINDR KUMAR KAURAV, J. (ORAL)

1. The instant petition has been filed seeking following reliefs:

“(a) Issue a writ of certiorari or any other appropriate writ, order or direction quashing

(i) The Final Judgment dated 11.06.2018 in Complaint no. CIC/HUDCO/C/2018/103140; And

(ii) The final judgment dated 11.06.2018 in Complaint no. CIC/HUDCO/C/2018/101535; And

(iii) The final judgment dated 11.06.2018 in Complaint no. CIC/HUDCO/C/2018/101536, passed by the Central Information Commission, New Delhi; AND

(b) Restrain the respondent from filing any more RTI applications with the



petitioner.”

2. The petition impugns three separate orders dated 11.06.2018 passed by the Central Information Commission (“CIC”) in applications filed under Section 18 of the Right to Information Act, 2005 (“RTI Act”). By way of the impugned orders, the CIC has directed the petitioner to provide certain information and has also sought to impose penalty on the petitioner.

3. The petitioner contends that under Section 18 of the RTI Act, the CIC does not have the power to direct the furnishing of documents. The petitioner relies on the judgment of the Apex Court in *Chief Information Commissioner v. State of Manipur* in support of his contention.¹

4. Having heard the learned counsel for the parties, this Court finds that while deciding a complaint filed under Section 18 of the RTI Act, the CIC can only enquire into the aspect of compliance of already issued directions. The same observation was made by this Court in the case of *MCD v. Chief Information Commissioner & Ors*², wherein the Court dealt with similar facts and circumstances. The relevant extract from the said judgement is reproduced below:

“5.The Court, however, finds that there are two distinct mechanisms under Section 18 and 19 of the RTI Act. The Commission is fully empowered to issue directions under Section 19(8) while it is entertaining an appeal under Section 19. In the instant case, however, the directions have not been issued while deciding an appeal or while adjudicating appeal proceedings. Instead, the directions seem to have been issued under section 18 of the RTI Act. Under section 18(1)(e), the CIC, inter alia, can only inquire into the complaint of the applicant, who believes that he or she has been given incomplete, misleading or false information under the RTI Act.

*...
8.It is, thus, seen that the scope of an inquiry under section 18(1)(e) is limited to the compliance of already existing directions. The grievance of incomplete,*

¹(2011) 15 SCC 1

²W.P.(C) 122/2012 decided on 25.03.2026



2026:DHC:3150



misleading or false information can certainly be looked into but the same must relate to the existing directions requiring the public authority to furnish certain information.”

5. This Court has previously made observations about the distinctive ambit and scope of Sections 18 & 19 of the RTI Act in ***Dr. Deepak Juneja v. Central Information Commission & Ors.***³ and ***High Court of Delhi v. R.K. Jain.***⁴ In ***Deepak Juneja***, the Court arrived at the following conclusion:

“15. Having noted the position of law as laid down by the Supreme Court, it is clear that Sections 18 and 19 serve two different purposes; lays down two different procedures; and provide two different remedies.”

6. For the abovesaid reasons, this Court had, *vide* order dated 06.07.2018, stayed the operation of the impugned orders herein.

7. None appears for the private respondent. It appears that the private respondent has lost his interest in prosecuting the complaint.

8. Be that as it may, even on merits, the nature of the directions issued by way of the impugned orders would not sustain in law as they go beyond the scope of powers envisaged under Section 18 of the RTI Act.

9. For the aforesaid reasons, all the impugned orders are set aside. The petition, therefore, stands allowed. If the private respondent has any further information to be sought, he shall be at liberty to file the appropriate application before the concerned Public Information Officer.

10. The petition stands disposed of along with pending applications.

(PURUSHAINDRA KUMAR KAURAV)
JUDGE

APRIL 7, 2026/SH

³W.P.(C) 11489/2016 decided on 29.04.2019

⁴2018 SCC OnLine Del 10799