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

+ LPA 298/2025, CM APPL. 27852/2025, CM APPL. 27853/2025 &
CM APPL. 27854/2025

VIVEK CHHATREAppellant

Through: Appellant in person

versus

UNION OF INDIA THROUGH MINISTRY OF CORPORATE
AFFAIRS & ORS.Respondents

Through: Mr. Vinay Yadav, SPC with Ms.
Kamna Behrani, Mr. Ansh Kalra, Mr.
Divyanshu Sinha, Advs. for R-1
Mr. Rajiv Nayar, Sr. Adv. with Mr.
Karun Mehta, Mr. Yugam Taneja,
Mr. Karan Bhootra, Advs. for R-3

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

% **08.05.2025**

1. Heard the learned counsel representing the parties.
2. This Letters Patent Appeal assails an order dated 24.02.2025 passed by the learned Single Judge in W.P.(C) 11707/2024, whereby the writ petition preferred by the appellant/petitioner has been disposed of.
3. The proceeding before learned Single Judge by instituting the writ petition prayed that a writ of mandamus be issued to respondent no.2/NFRA to enforce its order dated 29.03.2023 and rectify the deficiencies in accounting disclosures allegedly made by respondent no.3/MHRIL, which according to the appellant/petitioner had already been identified by

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respondent no.2.

4. Another prayer made before the learned Single Judge was that a direction be issued to respondent no.2 to make certain recommendations to the Central Government to formulate accounting standards for adoption by respondent no.3/MHRIL, should such a need arise and further to issue a direction to respondent no.2/NFRA to initiate an investigation against respondent nos.4 and 5 to examine misconduct on their part while conducting the statutory audit of respondent no.3/MHRIL.

5. Prior to filing of the aforesaid writ petition, the appellant/petitioner had earlier filed W.P.(C) 12985/2022, wherein certain irregularities including accounting and auditing irregularities in the functioning of respondent no. 2/NFRA were alleged.

6. The said writ petition was finally disposed of vide order dated 18.01.2023 by the learned Single Judge with a direction to respondent no.2/NFRA to take into account the issue raised by the appellant/petitioner.

7. In compliance of the said order dated 18.01.2023 passed by the learned Single Judge in the earlier writ petition instituted by the appellant/petitioner, the respondent no.2 passed an order on 29.03.2023 passing certain directions to respondent no.3/MHRIL and its auditors. On the said order having been passed, the grievance raised by the appellant/petitioner before learned Single Judge was that the said order has not been complied with.

8. Learned Single Judge has opined that once an order has already been passed by respondent no.2/NFRA giving certain directions which are to be complied with by respondent no.3/MHRIL, the appellant/petitioner seeking orders for monitoring compliance of the orders passed by respondent no.2

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shall not be maintainable.

9. Learned Single Judge has also recorded the statement made on behalf of respondent no.2/NFRA, according to which the jurisdiction of the respondent no.2/NFRA is limited to passing directions as provided under Section 132 of Companies Act, 2013 and respondent no.2/NFRA is cognizant of its responsibility. As and when any further orders are required to be passed, the same would be done in accordance with law.

10. On the said statement and also taking into account that an order has already been passed in pursuance of the order passed by this Court in the earlier writ petition filed by the petitioner, the learned Single Judge disposed of the writ petition with the observation that the petitioner/appellant shall be at liberty to take appropriate steps for seeking information from respondent no.2/NFRA, for the reason that one of the grievances raised by the appellant was that, he is not aware as to what action has been taken by respondent no.2 for implementation of its order passed on 29.03.2023.

11. From the aforesaid facts, it appears that the appellant/petitioner and the respondent nos.2 and 3 hold divergent views about compliance of the order dated 29.03.2023 passed by the respondent no.2/NFRA giving certain directions to the respondent no.3/MHRIL and its auditors.

12. The proceedings drawn after the order dated 29.03.2023 was passed, are not before the Court.

13. The appellant/petitioner has stated that he has not been made aware of the proceedings drawn by the respondent no.2/NFRA for ensuring compliance of the order dated 29.03.2023. It is in the aforesaid facts that the learned Single Judge has granted liberty to the appellant/petitioner to take appropriate steps for seeking information from respondent no.2/NFRA,

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which is a Statutory Authority and as such, is bound by the provisions of the Right to Information Act, 2005 (hereinafter referred to as 'RTI Act'). Accordingly, it is always open to the appellant/petitioner to seek such information as he intends to seek.

14. At this juncture, the appellant/petitioner who appears in person has stated that information sought by him under RTI Act has been refused. It is needless to say that RTI Act provides a complete mechanism in a situation where the Public Information Officer refuses to provide the necessary information to the person seeking the same.

15. It is thus, always open to the appellant/petitioner to take recourse to the remedies available under the RTI Act, in case he is aggrieved by the action on the part of respondent no.2/NFRA by not providing the necessary information sought by him.

16. In the aforesaid view of the matter, we are not inclined to entertain this appeal. Accordingly, the present appeal along with pending application stands dismissed.

DEVENDRA KUMAR UPADHYAYA, CJ

TUSHAR RAO GEDELA, J

MAY 8, 2025/j