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

% **Judgment reserved on: 11.03.2026**
Judgment delivered on: 08.04.2026

+ **LPA 113/2026 & CM APPL. 14743/2026**

AMBIKA GUPTAAppellant

Through: Appellant in person.

versus

CPIO LIC OF INDIARespondent

Through: None.

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE TEJAS KARIA

J U D G M E N T

DEVENDRA KUMAR UPADHYAYA, C.J.

1. This *intra-court* appeal seeks to challenge the order dated 29.01.2026 passed by the learned Single Judge whereby, *W.P.(C) 16122/2023* which was instituted by the respondent, has been disposed of with certain directions, modifying to a certain extent the order dated 27.06.2023, passed by the Chief Information Commissioner (*hereinafter referred to as the 'CIC'*) on the second appeal preferred by the appellant.

2. The facts in brief which are relevant for the purposes of appropriate adjudication of the issues involved in this appeal are as under:



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3. The appellant filed an application under the Right to Information Act, 2005 (*hereinafter referred to as the 'RTI Act'*) on 29.03.2022 seeking certain information which is extracted herein below:

“Detail list of all the policies wherein I am the insured party made at any point in time during my lifetime. For purpose of the same I have attached all the relevant documents.”

4. The said application was considered by the respondent-Central Public Information Officer, Life Insurance Corporation of India (*hereinafter referred to as the 'CPIO'*) who decided the application *vide* reply dated 31.03.2022 stating therein that since the base of LIC is the policy number issued to the life assured, without policy number the respondent-CPIO was unable to provide information sought by the appellant.

5. The relevant portion of the reply furnished by the respondent-CPIO to the application *vide* his letter dated 31.03.2022 is as under:

*“Received your online RTI application on 29.03.2022. In this regard we have to inform you as under: -
The base of LIC is the policy number issued to the life assured, without policy number we are unable to provide you information sought by you.”*

6. Dissatisfied by the said reply dated 31.03.2022 furnished by the respondent-CPIO, the appellant preferred a first appeal which was decided by the First Appellate Authority *vide* order dated 31.05.2022 whereby, the order passed by the respondent-CPIO dated 31.03.2022 was upheld.

7. The appellant, thereafter, filed a second appeal before the Central Information Commission, which was decided by the CIC *vide* order dated 27.06.2023.



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8. The CIC in its order dated 27.06.2023, observed that it is imperative for LIC to establish a system that facilitates the retrieval of policy and all data of policy holders, including cases where the policy number is not available, particularly in urgent situations. The CIC by the said order also directed the respondent-CPIO to take necessary measures to ensure disclosure of information concerning LIC Policy, even in instances where the policy number is not provided.

9. The CIC also while passing the said order dated 27.06.2023, advised the LIC to develop a robust system that will enable identification of the policies without policy numbers, specifically designed to address unforeseen circumstances, effectively. The CIC also directed the respondent-CPIO to furnish correct and complete information to the appellant.

10. The Managing Director of LIC was also furnished with a copy of the said order dated 27.06.2023 for information and necessary action with a further stipulation that the directions contained in the order shall be complied within four weeks under intimation to the Central Information Commission.

11. The respondent, aggrieved by the said order dated 27.06.2023, preferred *W.P.(C) 16122/2023* before the learned Single Judge which was disposed of *vide* the impugned judgment and order dated 29.01.2026 whereby, it was observed that LIC ought to remain open to adopting measures to improve its database to ensure that its policy holders/insured parties have access to vital information pertaining to them. The learned Single Judge has further observed that if there is any scope for improvement in the system using the latest technology, it must endeavor to do so.



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12. The learned Single Judge has also observed that considering the issues faced by LIC in retrieval of specific information from its vast database of policies, a lot of which are a decade old and may not have been digitized, the Court refrains from passing any mandatory direction to the respondent-CPIO in this regard. Learned Single Judge has however, made an observation in the impugned judgment and order that if the necessity arises at a later stage of taking necessary measures to ensure disclosure of information even in instances where the policy number is not provided, the Court shall not hesitate to issue appropriate directions.

13. The learned Single Judge also granted liberty to the appellant to file a fresh application before the LIC with a direction that such an application shall be dealt in accordance with the extant rules.

14. It is this judgment and order dated 29.01.2026 passed by learned Single Judge, which has been challenged by the appellant by instituting the proceedings of the instant letters patent appeal.

15. Impeaching the impugned judgment and order passed by the learned Single Judge, it has been argued by the appellant, who appeared in person, that the order passed by the learned Single Judge is beyond the scope of Article 226 of the Constitution of India for the reason that a *writ of certiorari* can be issued only on fulfillment of certain pre-requisites, such as violation of principles of nature justice or if the action/order complained of in writ proceedings is without jurisdiction or the same suffers from any jurisdictional error.



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16. Relying upon the provisions contained in sub-Section 7 of Section 19 of the RTI Act it has been contended by the appellant that the decision of the Central Information Commission or the State Information Commission, as the case may be, is binding and unless there was any jurisdictional error in the order passed by the CIC, which was challenged before the learned Single Judge, the same could not be set aside or even modified.

17. The appellant has also referred to the bar on jurisdiction of Courts embodied in Section 23 of the RTI Act which provides that no Court shall entertain any suit, application or other proceedings in respect of any order made under the RTI Act and further that no such order shall be called in question, otherwise than by way of an appeal under the said Act. The submission, thus, is that once the CIC passed the order dated 27.06.2023, the same became final and binding between the parties and, thus, could not be challenged even in proceedings instituted under Article 226 of the Constitution of India before this Court unless the order passed by the CIC suffered from any jurisdictional error or it is found to be without jurisdiction, which according to the appellant is the only scope of jurisdiction of this Court for issuing a *writ of certiorari*.

18. The appellant, apart from seeking a prayer to set aside the impugned judgment and order passed by the learned Single Judge, has also made a prayer in this appeal for issuing a direction to the respondent-CPIO to provide information in accordance with the order of the CIC dated 27.06.2023. Besides, she has also prayed for issuing guidelines to the respondent-CPIO to prevent the misuse and abuse of insurance and protect



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people from insurance related crimes, such as murder/arson, identity theft etc.

19. Prayer for paying compensation has also been made by the appellant in the instant appeal.

20. Having heard the appellant in person and perused the records available before us on this appeal, we find that the instant appeal is highly misconceived.

21. The information sought by the appellant *vide* application dated 29.03.2022 was in respect of all the policies where the appellant was an insured party, which were made at any point of time during her lifetime. The information was sought without disclosure of the policy number.

22. The respondent-CPIO while deciding the said application *vide* order dated 31.03.2022 stated that without policy number he is unable to provide the information sought by the appellant. The said order was affirmed by the First Appellate Authority *vide* its order dated 31.05.2022. However, the CIC while passing the order dated 27.06.2023 on the second appeal preferred by the appellant, has observed that the appellant's circumstances give rise to concerns regarding non-disclosure of information and that it was imperative for the LIC to establish a system that facilitates the retrieval of policy and all data of policy holders, including cases where the policy number is not available.

23. After making such observations, the CIC in his order dated 27.06.2023 directed the respondent to take necessary steps to ensure



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disclosure of the information concerning LIC Policies, even in instances where the policy number is not provided.

24. Further direction issued by the CIC was to the Managing Director of the LIC for taking necessary action on the advice tendered by the CIC that LIC should develop a robust system that enables the identification of policies without policy number, and such system should be specially designed to address the unforeseen circumstances, effectively.

25. The learned Single Judge, during pendency of the proceedings of the writ petition passed an order on 21.12.2023 directing the respondent-CPIO to explore the possibility of furnishing information which was sought by the appellant in order to bring a *quietus* to the dispute. In compliance of the said order dated 21.12.2023, passed by learned Single Judge, based on certain information provided by the appellant, such as, insured party's name, date of birth, gender, address with pin code, mobile number, email id and bank account number as registered under NEFT, the respondent-CPIO furnished the information on 04.01.2024 that on the basis of said particulars, two LIC Policies *qua* the appellant were available, details of which are extracted as under:

"1. 213831773- TT 14-12; DOC- 19.06.2003; SA 50000; Maturity claim paid on 03.06.2015

2. 216008096 - TT 14-10; DOC. 28.04.2005; SA 60000- Maturity Claim paid on 28.04.2015."

26. It was contended on behalf of the respondent-CPIO before the learned Single Judge that a robust system is already in place for providing information and if particulars such as the insured party's name, date of birth,



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gender, address with pin code, mobile number, email id and bank account number as registered under NEFT is furnished, the relevant data can be retrieved. It was further stated on behalf of the respondent-CPIO in the proceedings of the writ petition before the learned Single Judge that LIC cannot be directed or expected to examine all its policies which are more than 27 crore in number to find out relevant information sought in a particular matter in absence of any relevant details.

27. It was also contended on behalf of the respondent-CPIO that LIC has a database of more than 72 crore and it is servicing more than 27 crore policies and therefore, the directions issued by the CIC in its order dated 27.06.2023 was not necessitated.

28. Learned Single Judge while passing the impugned judgment on consideration of all relevant aspects, has observed that merely asking for information under the RTI Act without furnishing supporting details, information cannot be shared and such request by third parties, who are not entitled for information should not be entertained. The learned Single Judge also recorded a finding that disclosure of such sensitive information to third parties could even place the life of the insured in danger.

29. The learned Single Judge has also found that the directions issued by the CIC are advisory in nature and if, a robust system is already in place, as submitted on behalf of the respondent-CPIO, nothing more was required to be adjudicated. Learned Single Judge has further observed that the request made by the appellant was for information pertaining to policies in which her own life was insured, as such, the apprehension raised by the appellant in the facts of the case may not apply.



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30. Making such observations, the learned Single Judge refrained himself from passing any mandatory direction to the LIC, however, it was also observed in the impugned judgment that if any such necessity arises at a later stage, the Court shall not hesitate to issue appropriate directions.

31. Learned Single Judge also gave liberty to the appellant to file fresh application before the LIC which has been ordered to be dealt in accordance with the extant rules.

32. It is not that in terms of the impugned judgment passed by the learned Single Judge dated 29.01.2026; the appellant cannot seek the information relating to the insurance policies where she is insured. All what is required by the appellant is to furnish the details other than the policy number, such as name of the insured party's name, date of birth, gender, address with pin code, mobile number, email id and bank account number as registered under NEFT. The purport of the impugned judgment is that in case, any information regarding the policy is sought by a person insured, he can seek such an information without even furnishing the policy number, however, in such an eventuality, the aforesaid details are required to be furnished, in absence whereof it will be quite impossible for the LIC to give the information.

33. The view taken by learned Single Judge, in our opinion, is the correct view. It is understandable that if under some insurance policy some person's life has been insured without his or her knowledge, he/she may not know the policy number, however, the details regarding insured party's name, date of birth, gender, address with pin code, mobile number, email id and bank account number as registered under NEFT are such details which can be



presumed to be within the knowledge of the person seeking the information. Accordingly, the purport of the impugned judgment passed by the learned Single Judge is that even in absence of the policy number information regarding the policy by the insured person can be obtained, however, for seeking such an information, necessary details as listed above have to be provided.

34. We are also of the opinion that having regard to the fact that LIC handles 27 crore insurance policies, in absence of certain details, it will be difficult; rather impossible to retrieve any information sought in respect of a particular policy. It is quite possible that an insured person may not know the policy number; however, the other details which will enable the LIC to retrieve the details of the insurance policy need to be furnished by a person seeking any such information. In absence of such details, in our opinion, it will be impossible for the LIC to retrieve the information and furnish it to the information seeker.

35. So far as the observation made by the learned Single Judge that the directions given by the CIC in its order dated 27.06.2023 are advisory, is concerned, in our opinion, the learned Single Judge has correctly refrained himself from passing any mandatory direction to the respondent-CPIO in that regard for the reason that it is for the respondent to maintain their records. What is mandated under the RTI Act is that the information sought needs to be provided to the information seeker unless the information sought is exempted from being provided.

36. We may observe, at the cost of reiteration, that the impugned judgment passed by learned Single Judge does not put any bar on providing



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the information if it is sought by an insured person even in absence of the policy number and therefore, we are of the opinion that no prejudice is caused to the appellant by the impugned judgment dated 29.01.2026.

37. As regards the submission of the appellant that a prayer for *writ of certiorari* could not be entertained by the learned Single Judge against the order passed by the Central Information Commission for the reason that Section 19(7) of the RTI Act provides that the decision of the CIC shall be final and binding, we may only observe that finality attached to an order under any enactment will not be a bar for this Court to exercise its writ jurisdiction under Article 226 of the Constitution of India.

38. Writ jurisdiction, in fact, is plenary in nature and can be exercised by this Court in appropriate cases even where any statutory provision attaches finality to an order or makes such order binding. It is needless to state that judicial review is one of the basic features of the Constitution of India which cannot be taken away by any statutory provision. Thus, the submission made by the appellant on the basis of the provisions contained in Section 19(7) of the RTI Act is highly misconceived which merits rejection.

39. For the same reason, the ground raised by the appellant regarding non-maintainability of the writ petition before the learned Single Judge on the basis of the provisions contained in Section 23 of the RTI Act, is also not tenable. The bar created by Section 23 of the RTI Act will be applicable to a Court for entertaining any suit, application or other proceedings in respect of any order made under the Act. However, such a bar will not be an impediment in any manner for this Court to exercise its writ jurisdiction



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under Article 226 of the Constitution of India, the same being one of the basic features of our Constitution.

40. For the reasons aforesaid, we do not find any good ground to interfere with the impugned judgment and order dated 29.01.2026 passed by the learned Single Judge in *W.P.(C) 16122/2026*.

41. Resultantly, the appeal fails and is hereby dismissed along with pending application.

42. There will be no order as to costs.

**(DEVENDRA KUMAR UPADHYAYA)
CHIEF JUSTICE**

**(TEJAS KARIA)
JUDGE**

APRIL 08, 2026/MJ