

Constitution of India, Article 32 - Right of privacy - Right to information - Challenge to the action of the Reserve Bank of India in directing disclosure of confidential and sensitive information pertaining to their affairs, their employees and their customers under the Right to Information Act, 2005 - In view of the judgment of this Court in the case of *Jayantilal N. Mistry*, the RBI is entitled to issue directions to the petitioners/Banks to disclose information even with regard to the individual customers of the Bank - In effect, it may adversely affect the individuals' fundamental right to privacy - *Jayantilal N. Mistry* did not take into consideration the aspect of balancing the right to information and the right to privacy - Petitioners have challenged the action of the RBI, issuing directions to the Banks to disclose certain information, which according to the petitioners is not only contrary to the provisions as contained in the RTI Act, the RBI Act and the Banking Regulation Act, 1949, but also adversely affects the right to privacy of such Banks and their consumers - RBI has issued such directions in view of the decision of this Court in the case of *Jayantilal N. Mistry* and *Girish Mittal* - As such, the petitioners would have no other remedy than to approach this Court - This being the Apex Court, no litigant has any opportunity of approaching any higher forum to question its decision - The only remedy available to the petitioners would be to approach this Court by way of writ petition under Article 32 of the Constitution of India for protection of the fundamental rights of their customers, who are citizens of India. *A.R. Antulay, referred.*

SUSBCRIPTION REQUIRED TO READ JUDGMENT

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