

Court No. - 3

Case :- WRIT - C No. - 8693 of 2023

Petitioner :- Deep Chand

Respondent :- State Information Commissioner (S-9) Lko.
Thru. Its Registrar And Others

Counsel for Petitioner :- Neeraj Tewari

Counsel for Respondent :- Shikhar Anand,C.S.C.

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

1. Heard learned counsel for petitioner, learned Standing Counsel for the State and Sri Shikhar Anand, learned counsel for the State Information Commissioner.
2. By the present writ petition, petitioner has challenged the order dated 14.12.2020 passed by the State Information Commissioner.
3. Learned counsel for petitioner submits that at page-2 of the aforesaid order, it is noted that earlier also petitioner was given opportunity to provide information on 17.9.2020 and 14.12.2020 and since he had not complied with the same, penalty was imposed upon him.
4. The impugned order was passed on 14.12.2020, therefore, it is apparent that two opportunities were not given as noted in the order. In view thereof, the desirability of giving two opportunities could not be fulfilled.
5. In view of above, the impugned order dated 14.12.2020 cannot stand and is set aside with liberty to the State Information Commissioner to pass a fresh order in accordance with law after giving an opportunity of hearing to the petitioner.
6. The writ petition stands ***allowed***.

[Manish Kumar,J.] [Vivek Chaudhary,J.]

Order Date :- 13.10.2023

Sachin