

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.23505 of 2015

Date of Decision : 4.11.2015

Romesh Kumar Gupta

....Petitioner

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present: Mr. Yogesh Kumar Saini, Advocate
for the petitioner.

MAHESH GROVER.J.

The petitioner prays for a direction to initiate penal proceedings against the SPIO-cum-Senior Town Planner, who according to the petitioner failed to give him information within the stipulated time and after more than a year responded by saying that the record is not available.

If one of the orders which has been appended to the petition as Annexure P-12 is to be seen, the State Information Commissioner, Haryana has observed that Shri Kamal Kumar, the then SPIO against whom the petitioner now seeks action, was not liable to be proceeded under the Right to Information Act and thus proceedings against him were dropped. Further direction was given to the current SPIO to comply with the mandate of the Commission's order dated 30.4.2015. Evidently, the commission has taken sufficient notice of the grievance of the petitioner to

supply information. The order dated 30.4.2015 is not on record and therefore the court is unable to formulate any opinion in this regard as to whether the order was in any way prejudicial to the interest of the petitioner to seek information.

The petitioner has thus kept relevant information away from the court. In any eventuality, the Commission has directed the SPIO to ensure compliance by 15.7.2015 which date already stands expired. The petitioner has been unable to show what grievance remains after that and whether the order of the Commission remains uncomplied with.

In view of this, the interest of the petitioner obviously was to obtain the information which he has got. The underlying principle of the Right to Information Act is to ensure information and not to indulge in unnecessary witch-hunting which the petitioner is doing by seeking visitation of penal consequences on the officer concerned.

Dismissed.

4.11.2015
dss

(MAHESH GROVER)
JUDGE