

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

CWP No. 16765 of 2016 (O & M)

Date of decision: 03.10.2016

Rajesh Sharma

....Petitioner(s)

Versus

The State Information Commissioner, Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Pranav Chadha, Advocate,
for the applicant-petitioner.

G.S.SANDHAWALIA, J. (Oral)

C.M. No. 12678-CWP of 2016

Application for placing on record Annexure P-16 (colly) and for exemption from filing certified copy of the same is allowed, subject to all just exceptions.

The same is taken on record.

CWP No. 16765 of 2016

The petitioner seeks quashing of the order dated 28.03.2016 (Annexure P-5) passed by the respondent-Commission whereby, various directions had been issued to the respondent-SPIOs etc. to furnish the required information to the petitioner. Apart from that, the officials had been directed to be present for hearing on 12.05.2016. Counsel for the petitioner has also placed on record the order dated 01.09.2016, which is appended as Annexure P-17 to the present writ petition. A perusal of the said order would go on to show that further directions had been issued by the respondent-commission and the matter is still pending for 02.11.2016

for show cause proceedings and review of the implementation of the Commission orders. Relevant part of the order dated 01.09.2016 reads as under:-

“5. To come up on 2.11.2016 at 11.00 AM for SCN proceedings and review of implementation of Commissions order. The Commission Secretariat will ensure that letters are written to the Director General Town & Country Planning Haryana and the Deputy Commissioner Jind without delay and copy of orders are also sent to them.

6. A copy of this order be placed on all the relevant cases.

Heard. Announced. To be communicated also.”

In such circumstances, once the matter is pending before the Commission itself, the present writ petition at this stage is not maintainable. It is open to the petitioner to represent before the Commission as to what non-compliance has been there of the orders of the Commission. Needless to say that the Commission has statutory powers to ensure that the orders are implemented.

In such circumstances, the present writ petition, at this stage, is not maintainable being premature and accordingly is disposed of with the abovesaid liberty.

03.10.2016
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No

