

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.998 of 2011

In

Civil Writ Jurisdiction Case No.2875 of 2010

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Pramod Kumar Singh, son of Late J. Sinha, resident of Mohalla- Judges Colony, R.P.S. Road, P.S.- Danapur, District- Patna

... .. Appellant/s

Versus

1. The State Information Commission through Secretary, State Information Commission, Fourth Floor, Soochna Bhavan, Bailey Road, Bihar
2. The Public Information Officer, Patna Municipal Corporation, Patna
3. The Principal Secretary, Urban Development and Housing Department, Govt. of Bihar, Patna
4. The Town Commissioner, Patna Municipal Corporation, Patna

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Mrigank Mauli, Advocate
For the Respondent/s	:	Mrs. Binita Singh, Advocate
For the P.M.C.	:	Mr. Sanjay Prakash Verma, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 07-09-2017

Having heard learned counsel for the parties, we find that before imposing the cost and penalty of Rs.25,000/- on the appellant, the State Information Commission has not heard the appellant, no notice was issued to him and the fine has been imposed behind his back.

That being so, we allow this appeal in part, quash the order dated 03.05.2011 passed by the Writ Court in C.W.J.C. No. 2875 of 2010 and remand the matter back to the State Information Commission to proceed with the question of imposing the fine of Rs. 25,000/- afresh after issuing notice to



the appellant, hearing him and thereafter passing a speaking order meeting with the requirements of principles of natural justice under Section 20 of the Information Commission Act. The entire exercise should be undertaken and completed within a period of 60 days.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	11.09.2017
Transmission Date	

