

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-16382-2016

Date of Decision : 17.01.2017

Yudhister

....Petitioner

versus

State Information Commission, Haryana and others

....Respondents

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Lajpat Sharma, Advocate,
for the petitioner.

Mr. Anil Kumar Yadav, Additional A.G., Haryana,
for respondents No. 2 and 3.

M.M.S. BEDI, JUDGE (ORAL)

The petitioner exercises the powers of Public Information Officer. He has questioned the legality and propriety of order dated February 17, 2016 (Annexure P-10), by virtue of which penalty of Rs. 25,000/- has been imposed upon him and disciplinary proceedings have been ordered to be initiated against him for having not, putting in appearance before the State Information Commissioner.

It has been explained on behalf of the petitioner that on account of Jat agitation in the State, he was not able to appear before the

abovesaid Authority.

It is informed that the sum of Rs. 25,000/- has already been recovered from the petitioner.

I have considered the facts and circumstances of the case. The plea put forth by the petitioner for non appearance before the State Information Commissioner appears to be fairly plausible. It is settled principle of law that a hammer is not to be used to swat a fly. The petitioner appears to have not committed an act warranting disciplinary proceedings.

In the aforesaid circumstances, impugned order, Annexure P-10, so far as the direction for launching of disciplinary proceedings is concerned, is set aside.

The petition is disposed of accordingly.

(M.M.S. BEDI)
JUDGE

January 17, 2017
apurva

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No