

CWP-2383-2014

Date of Decision : 19.01.2017

Balbir Singh

.....Petitioner

versus

State Information Commission and Others

...Respondents

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. Saajan Singla, Advocate for
Mr. Manu K. Bhandari, Advocate
for the petitioner.

Ms. Anu Pal, Asstt.A.G., Punjab.

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

On account of non-availability of the information, sought for by the petitioner, the State Information Commissioner has declined the request. It is not out of place to mention here that the information sought for, pertains to the year 1997 pertaining to some appointments of Fitters made by M/s Pepsi Food India Limited at Sunam which information would be available with ITI, Sunam.

Be that as it may, the grievance of the petitioner can be looked into by the State Information Commissioner under Section 19 of the Right to Information Act, 2005. The remedy had been availed by the petitioner under Section 19 of the Right to Information Act, 2005. As per the order dated 08.12.2016, the claim of the petitioner is only regarding the information pertaining to the letter of demand made by M/s Pepsi Food India Ltd. Channo, Sangrur for ITI trained Fitters, Electricians, Electronics etc. for campus interview which was fixed on 13.10.1997. The application of the petitioner was dismissed by the State

Information Commissioner on 13.06.2013 vide Annexure P-12A. The second appeal has been dismissed vide impugned order Annexure P-14 on the ground that the appeal having been filed by concealing the earlier order of the Commission, as such the appeal deserves to be dismissed.

I have considered all the facts and circumstances of the case.

In view of the order Annexure P-12A having attained finality and having not been challenged earlier, it appears that the second appeal is purported to have been filed under Section 19 (3) of the Right to Information Act, 2005, though the appeal had already been dismissed vide order Annexure P-12A. There does not appear to be any good ground for entertaining the application under Section 19 (3) of the Act, there being no changed circumstances or circumstances warranting entertainment of the second appeal before the same authority. I do not find any reason for entertaining the writ petition against the order Annexure P-14 dated 24.07.2013.

The petition is dismissed. However, dismissal of the petition, will not prejudice the other legal rights of the petitioner, in accordance with law, as he seems to be in litigation with his employer management.

(M.M.S. BEDI)
JUDGE

19.01.2017
Neha

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No