

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

CWP No. 3317 of 2014

Date of decision : 10.08.2017

Manjit Kaur Gandhi

....Petitioner

V/s

The Punjab Small Scale Industries and Export Corporation,
Chandigarh & ors.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. G.S. Gandhi, Advocate for the petitioner.

Mr. Indresh Goyal, Advocate for respondents no. 1 & 2.

Mr. Vikas Mohan Gupta, Addl. A.G. Punjab.

RAJAN GUPTA J.

Petitioner has prayed for writ in the nature of certiorari for quashing order dated 26.11.2013/05.12.2013 (Annexure P-29) passed by authority below. It has been urged before the court that petitioner has sought information on ten counts. In spite of repeated requests, respondents have failed to provide her the complete and requisite information. Plea has been refuted by learned counsel for respondents no. 1 & 2. He submits that whatever information was available with the Corporation has already been furnished to the petitioner.

Brief factual background of the case is that Punjab Small Scale Industries & Export Corporation Ltd published an advertisement inviting applications for allotment of industrial plots measuring 480 sq. yards on freehold basis at SAS Nagar, Mohali under 'Self Financing Scheme'.

Petitioner also applied in the said scheme. However, the project for which the petitioner had applied was not found suitable by the Allotment Committee and accordingly she was informed vide letter dated 08.09.1987. She, thereafter, preferred CWP No. 1746 of 1988 before this court challenging the decision of the Allotment Committee. Same was, however, dismissed by this court on 07.01.2015. During the pendency of said petition, she sought information under the RTI Act. Dis-satisfied with the information supplied by respondent no. 2, she filed a complaint before the State Information Commissioner, Punjab. The authority after hearing both the parties and perusing the record, disposed of the complaint in the following terms:-

“In view of the submission of respondent, affidavit given on oath, fact that case relates to the year 1983 and the submission regarding the files/record relating to the case being entrusted to Shri Rajiv Mittal, Advocate who has expired, no action against the PIO can be taken. However, the officers who were handling the record immediately after the death of Shri Rajiv Mittal, Advocate should have been careful in taking back the record/files from the residence/office of the counsel. Accordingly the Managing Director, Punjab Small Industries & Export Corporation is directed to take disciplinary action against all the officers/officials who were dealing with the said case during the year 1994 & 1995 under the service rules applicable to them. ”

It appears that respondent-Corporation has already made efforts to locate and trace the files. The relevant record which is available with the respondent-Corporation has already been perused and inspected by the petitioner. However, with regard to non supply of information in respect of her application form and project report, disciplinary action has already been

ordered against the officers/officials responsible for the same by the authority below. No further direction can be issued in the case. Petition is without any merit and is hereby dismissed.

August 10, 2017
Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No