

*IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.*

CWP 4919 of 2014

Date of decision: 25.4.2017

Simerpal Singh

Petitioner

vs.

State Information Commission, Punjab and ors

Respondents

Present: Mr. Ajay Pal Singh Rehan, Advocate.
Ms. Anu Pal, AAG, Punjab
None for respondent No.2

M.M.S.BEDI,J.

The present writ petition has been filed by the petitioner, who is working as an Assistant Executive Engineer, South Commercial Sub Division, Majitha Road, Punjab State Power Corporation Ltd. Amritsar, aggrieved by order dated 13.2.2014 (Annexure P-1), whereby a penalty of Rs.25000/- has been imposed upon him as his personal liability and a compensation of Rs.10000/- has been awarded for non furnishing of the information to respondent No.2.

Respondent No.2 did not opt to appear after being served through affixation.

I have taken into consideration the facts and circumstances of the case. Respondent No.2 Suwinderjit Singh had filed an application on 4.1.2013 (Annexure P-3) seeking information regarding the name of the person in whose name the electricity supply connection had been issued in H.No. 57, Medical Enclave, Circular Road, Amritsar. The said information was supplied to respondent No.2 vide order Annexure P-6 dated 1.10.2013 by the petitioner after receipt of notice regarding the application having

been filed by respondent No.2.

Counsel for the petitioner submits that the petitioner had neither been served in the appeal nor any application had been received by him as the address and description of the petitioner has been wrongly mentioned in Annexure P-3 before the Public Information Officer, in Annexures P-4 before Superintending Engineer and Annexure P-5 before the Appellate Authority-cum Superintending Engineer. A perusal of the petition indicates that Annexure P-5 had been considered as second appeal under Section 19(3) of the Right to Information Act. After perusal of the documents, it is apparent that the description of the petitioner and the address for service is wrongly mentioned.

The information having already been supplied to respondent No.2, the impugned order Annexure P-1 appears to be harsh and unreasonable, having been passed without taking into consideration the relevant facts.

Accordingly, the petition is allowed. Impugned order dated 13.2.2014 (Annexure P-1) is hereby set aside.

April 25 ,2017
TSM

(M.M.S.BEDI)
JUDGE

Whether speaking/ reasoned

Yes/ No

Whether Reportable

Yes/ No