

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

CWP No. 6241 of 2014

Date of Decision: December 13, 2017.

Sikh Missionary College (Regd.)

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr. S.S.Narula, Advocate, for the petitioner.
Mr.Vikas Mohan Gupta, Addl.A.G, Punjab.
Mr.R.S.Bajaj, Advocate, for respondent No.3.

Rajan Gupta, J (Oral)

Petitioner has impugned the order dated 31.12.2012 passed by State Information Commission, Punjab whereby petitioner was directed to supply information to respondent No.3. It came to the conclusion that Sikh Missionary College was authority within the meaning of Section 2 (h) of Right to Information Act, 2005. Learned counsel for the petitioner placed reliance on judgment reported as **Thalappalam Service Cooperative Bank Ltd and others Vs. State of Kerala and others 2013 (4) RCR (Civil) 912** to contend that petitioner cannot be said to be public authority. According to him, this issue needs consideration. This court intends to remit the case to the same authority for decision afresh. This proposal is not opposed by counsel representing the respondents.

In view of above, impugned order is set-aside. Matter is remitted to State Information Commission for decision afresh as per law after affording opportunity of hearing to the parties.

**(Rajan Gupta)
Judge**

December 13, 2017.

BB

Whether speaking/reasoned Yes/No

Whether reportable: Yes/No