

113 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 27408 of 2017(O&M)

Date of decision : 01.12.2017

The Punjab Netball Association and others Petitioners

versus

Union of India and others Respondents

CORAM : HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr.A.S.Narang, Advocate for the petitioners.

RAKESH KUMAR JAIN, J. (Oral)

The petitioners had earlier approached this Court through writ petition bearing CWP No. 22011 of 2017 in which the following order was passed on 26.09.2017:-

“Counsel for the petitioner submits that he has though challenged the order dated 05.03.2017, which has been approved by the AGM held on 26.03.2017 but the order of the AGM is not challenged in this petition.

At this stage, he prays for withdrawal of the present petition in order to challenge the order of the AGM as well.

Dismissed as withdrawn.

Liberty is granted.”

It is submitted that pursuant thereto the petitioner had applied for the proceedings of the AGM under the Right to Information Act, 2005 vide application dated 04.10.2017 which is attached as Annexure P-17. The contents of the application are as under:-

“To

The Public Information Officer,
o/o Netball Federation of India (Regd.),
1027/21, Prem Nagar, Rohtak, Haryana.

1. Name of the Applicant : PARAM BIR SINGH SANDHU
2. Address : House No. 1054, Sector 39-B
Chandigarh

3. Particulars of information :
(a) Concerned Department :
(b) Particulars of information
required:

(i) Details of information
required: Certified copy of the minutes of
the AGM meeting purportedly
held on 26.03.2017 at New Delhi.

(ii) Period for which information
asked for : As mentioned above

(iii) Other details : NIL

4. I state that the information sought does not fall within
the exemptions contained in Section 8 of the Right to Information
Act, 2005 and to the best of my knowledge it pertains to your office.

5. A fee of Rs. 50/- has been deposited in the office of the
Public Information Officer vide No. _____ dated _____.

Place: CHD

Dated: 4.10.2017

Signatures of Applicant”

It is further submitted that despite the application, the required
information is not given and the respondents have excluded the petitioners
from participating in the National Netball Championship which is to be held
on 02.01.2018 onwards. Since the previous petition was disposed of by this
Court on the ground that the order dated 05.03.2017 has though been
approved by the AGM held on 26.03.2017 but the said order of the AGM
has not been challenged in the writ petition, therefore, the writ petition was
allowed to be withdrawn to file it again to challenge the decision of the
AGM as well.

Therefore, at this stage this petition cannot be entertained

because it would virtually review the order dated 26.09.2017, however, keeping in view the facts and circumstances, respondent No. 2 is directed to provide the decision of the AGM dated 26.03.2017 to the petitioner, if any application is made, along with the order passed by this Court today, within a period of 7 days thereafter.

(RAKESH KUMAR JAIN)
JUDGE

December 01, 2017
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