

CWP 929-2017

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Decided on: January 20, 2017.

Sabjinder Singh

.. Petitioner(s)

VERSUS

State Information Commission, Haryana and others

.. Respondent(s)

*** * ***

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

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**PRESENT Mr.Ashwani Kumar Bura, Advocate,
for the petitioner.**

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

Petitioner had made application, Annexure P1, dated 4.7.2016, seeking information pertaining to the period July 2010 to June 2016, but the information supplied to him, on payment, was for the period from 1998 to 2009 regarding which the petitioner did not demand any information. His appeal has been decided by the second Appellate Authority-cum-State Information Commission, Haryana vide order dated 9.11.2016, Annexure P9, directing the Sarpanch SPIO to provide information to the petitioner by 30.11.2016 through registered post and to furnish certificate that all available information relating to application under Right to Information Act, has been provided and nothing has been concealed.

Grievance of the petitioner is that order dated 9.11.2016, passed by the State Information Commission under the Right to Information

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Act, has not been complied with despite a representation Annexure P10 dated 16.11.2016, having been filed.

I have considered the facts and circumstances of the case and I am of the opinion that the provisions of Articles 226 and 227 of the Constitution of India, cannot be utilised by making the High Court as Executing Court for the orders passed by State Information Commission. In case of non-compliance of the directions dated 9.11.2016, the petitioner has got a remedy under the Right to Information Act.

Without expression of any opinion on merits, this petition is disposed of, at this stage, with a direction to the State Public Information Officer, to consider the application Annexure P10 dated 16.11.2016, within a period of one week by passing a speaking order. In case of non-compliance, it will be open to the petitioner to avail the alternative remedy of seeking imposition of penalty and other available reliefs, in accordance with law.

(M.M.S. BEDI)
JUDGE

January 20, 2017.
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Whether speaking / reasoned	Yes / No
Whether reportable:	Yes / No