

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1319 of 2013

IN

Civil Writ Jurisdiction Case No. 17727 of 2008

- =====
1. The State Of Bihar Through The Secretary, Department Of Personnel And Administrative Reforms (Now Known As General Administration Department), Government Of Bihar, Main Secretariat, Bihar, Patna
 2. The Secretary, Department Of Personnel And Administrative Reforms (Now Known As General Administration Department), Government Of Bihar, Main Secretariat, Bihar, Patna
 3. The Joint Secretary to The Government, Department Of Personnel And Administrative Reforms (Now Known As General Administration Department), Patna
 4. The Deputy Secretary - Cum - Public Information Officer to the Government
- Petitioners / Appellants

Versus

1. The State Information Commissioner through the State Information Commission IVth Floor Suchana Bhawan, Bailey Road, Patna
 2. The State Information Commissioner IVth Floor Suchana Bhawan, Bailey Road, Patna
 3. Sanju Kumari Wife Of Manoj Kumar R/O - J - 127, Peoples Cooperative Colony, Kankarbagh, P.S. Kankarbagh, District - Patna Presently Posted As Planning Assistant, Department Of Mines And Geology, Bihar, Patna
 4. Secretary, State Information Commission IVth Floor Suchana Bhawan, Bailey Road, Patna
- Respondents / Respondents.
- =====

Appearance:

For the Appellant/s : Mr. P.N. Shahi, Sr. Advocate (AAG 6) &
Mr. Dharendra Kumar, AC to AAG 6.
For the Respondents no.1,2 & 4: Mr. (Advocate).
For the Respondent no.3: Mr. Sanjay Prakash Verma, Advocate.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 04-04-2018

Having heard learned counsel for the parties, we are of the considered view that limited to the extent of imposing compensation of Rs. 2,00,000/- to the private respondent Smt. Sanju Kumari, the official respondents and the department have to be heard afresh and



thereafter an appropriate speaking order passed keeping in view the various aspects of the matter which were canvassed before us during the course of hearing.

Accordingly, we allow this appeal in part, quash the order dated 12.12.2012, passed by the learned Writ Court, and the order dated 23.09.2008, passed by the State Information Commissioner in Case no. 4643/07-08, only to the extent of awarding compensation of Rs. 2,00,000/-.

We direct the parties to appear before the State Information Commissioner along with a certified copy of this order on 30.04.2018 and the learned State Information Commissioner, after hearing all concerned, and taking note of the requirements of law, particularly Section 19(8)(b) of the Right to Information Act, shall pass a fresh order with regard to award of compensation. We request the Commission to pass order with regard to payment of compensation within 60 days of the appearance of the parties.

With the aforesaid the appeal stands disposed of.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Dilip, AR

AFR/NAFR	NAFR
CAV DATE	N/A
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