

HIGH COURT OF CHHATTISGARH, BILASPURWrit Petition (C) No.1294 of 2011

Rajesh Kumar Patel, aged about 40 years, S/o Shri Ramsharan, By Caste Kurmi, Village Salva, Tahsil Manendragarh, Distt. Koriya

---- Petitioner

Versus

1. Central Information Commission, through its Commissioner, Club Building, Near Post Office, Old JNU Campus, New Delhi.
2. First Appellate Officer and Chief General Manager, Chhattisgarh Doorshanchar Parmandal, Prashasnik Bhawan, Vidhansabha Road, Khamhardih, Raipur
3. The Public Information Officer, Bharat Sanchar Nigam Limited, O/o the CGM Telecom, Chhattisgarh Telecom Circle, Raipur

---- Respondents

For Petitioner:	Mr. Parag Kotecha, Advocate.
For Respondents:	None present.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

16/05/2018

1. Learned counsel for the petitioner submits that the learned Central Information Commission is absolutely unjustified in dropping the penalty proceeding and directing the petitioner to contact the Central Public Information Officer for information and provide him the correct address.
2. I have heard learned counsel for the petitioner.
3. The Central Information Commission has clearly reached to a finding that there is no delay in furnishing of information by the Central Public Information Officer and thereafter, the

Commission has rightly dropped the penalty proceeding. Even otherwise, the penalty proceeding is like contempt proceeding between the contempt petitioner and the Court and the informer of the contempt proceeding has no locus. Penalty proceeding is akin to contempt proceeding. Likewise, the petitioner has no locus to contest the penalty proceeding. Imposition of the amount of penalty is purely discretionary in nature and penalty, if any, is deposited in the account of the Government, as such, I do not find any merit in the petition. The petitioner would be at liberty to approach the Central Public Information Officer, as directed, for getting information, if not already supplied.

4. With the aforesaid observation, the writ petition stands finally disposed of. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge

Soma