

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 933 of 2012**

Udho Prasad Sharma, S/o Shri S.P. Sharma, aged about 59 years, R/o. MD 35, C.G. Housing Board Colony, Kota, Raipur (C.G.)

---- Petitioner

Versus

1. Chhattisgarh State Information Commissioner, Shankar Nagar, Raipur (C.G.)
2. Chhattisgarh State Civil Supplies Corporation Ltd., Through : Its Chairman Hitwad Complex Avanti Vihar, Raipur (C.G.)
3. Shri M.N. Prasad Rao, First Appellate Authority Chhattisgarh State Civil Supplies Corporation Ltd. Hitwad Complex Avanti Vihar, Raipur (C.G.)
4. Shri S.L. Aadil, Public Information Officer, Chhattisgarh State Civil Supplier Corporation Ltd. Hitwad Complex Avanti Vihar, Raipur (C.G.)

---- Respondents

For Petitioner : Mr. Sunil Pillai, Advocate
 For respondent No.1 : Mr. Shyam Sunder Lal Tekchandani, Advocate.
 For Respondents No. 2 to 4 : Mr. N.K. Vyas, Advocate .

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

16/07/2018

1. Learned counsel appearing for the petitioner would submit that the information has been given to the petitioner but the penalty has not been imposed and, therefore, the penalty be imposed upon the Public Information Officer, who supplied the information with delay.
2. Per contra, counsel for the respective respondents would oppose the writ petition.
3. I have heard learned counsel appearing for the parties.
4. This Court in the matter of **Rajkumar Mishra Vs. Chhattisgarh State Information Commission & another¹** has held as under :-

¹ WPC NO. 1405 of 2017, decided on 18.05.2018

“11. There is yet another reason for not interfering with the order of learned commission. The penalty proceedings are akin to contempt proceeding, the settled position with respect thereto is that after brining the facts to the notice of the Court, it becomes a matter between the Court and the contemnor and the informant or contempt petitioner has not role further in the contempt proceedings.”

5. In view of above settled legal position, it is apparent that petitioner has been supplied the requisite information but so far as imposition of penalty upon the Public Information Officer is concerned, it is a matter between the Commission and the concerned Public Information Officer, the petitioner has no locus to question of non-imposition of penalty.

6. Accordingly, the writ petition fails and is hereby dismissed.

Sd/-

(Sanjay K. Agrawal)

Judge

D/-