

**IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
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CWP-13095-2018

Date of decision: 06.07.2018

Narinder Bhatia and another

...PETITIONERS

Vs.

State Information Commission, Punjab and others

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Nitin Kaushal, Advocate,
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioners have approached this Court assailing the order dated 22.11.2017 (Annexure P-15) passed by the State Information Commission, whereby the information sought by the petitioners has been denied to them in the light of the Notification issued by the Government of Punjab, which would fall within the provisions of Section 24 of the Right to Information Act, 2005.

Counsel for the petitioners contends that the State Information Commission should have, in the light of the provisions of Section 24 (4) of the Right to Information Act, 2005 and the proviso thereof, looked into the aspect with regard to the violation of human rights and thereafter, should have proceeded to decide the case in the light of the said provisions but merely because the notification has been produced by the respondents, the said authority has proceeded to decide the case to the extent of not granting the information to the petitioner.

I have considered the submissions made by the counsel for the petitioner.

The assertion, as put forth by the counsel for the petitioner even if it is accepted, would not make much of a difference in the light of the fact that the FIR, which was registered against the petitioner, is pending trial before the Court. The remedy is available to the petitioner in the said trial. In any case, the petitioner cannot be supplied the information, which he had sought under the provisions of the Right to Information Act as the matter is subjudice.

The writ petition being devoid of merits stands dismissed.

July 06, 2018
pj

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No