

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

LPA No. 694 of 2017 (O&M)

Date of Decision : 13.12.2018

Rajesh Kumar Sharma

....Appellant

Versus

The Chief Information Commissioner and others

...Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE LALIT BATRA

Present : Ms.Naveena Sharma, Advocate
for the appellant.

MAHESH GROVER, J.(O)

This appellant is in appeal against the judgment of the learned
Single Judge dated 06.04.2017.

The controversy flows from repeated applications filed by the
appellant under the Right to Information Act, 2005 (in short 'the Act') and
when information was declined on as many as 13 applications submitted by
him he filed an appeal under Section 19 of the Act resulting in dismissal of
his claim in appeal. This led to writ proceedings where the learned Single
Judge declined to interfere and the present Letters Patent Appeal is an
outcome of the decision of the writ court.

We have perused the order of the appellate authority under the
Act and it reveals that the petitioner was facing some disciplinary
proceedings and wanted information largely related to the proceedings
against him to offer a defence. Most of the information sought was about
the different yardsticks applied by the authorities to various employees
some of whom were dealt with leniently while as per the perception of the
appellant he was dealt with harshly. The appellate authority concluded that
such an information is not permissible under Section 8 of the

Act as it does not relate to any public interest.

We have been informed that the appellant, who faced disciplinary proceedings, challenged the order of dismissal successfully and has been reinstated in service. If that is so, even if we assume that there is some substance in the appeal, it would be futile as the disciplinary proceedings against him are non-existent as on today and consequently the information that he sought largely to tone up his defence is no longer relevant. We are thus of the opinion that the appeal has outlived its cause and deserves dismissal. Ordered accordingly.

(MAHESH GROVER)
JUDGE

13.12.2018
dss

(LALIT BATRA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No