

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 78 of 2020

Nitin Singhvi S/o Late N.C. Singhvi Aged About 58 Years R/o H.I.G. 3,
Sector 3, Shankar Nagar, Raipur, District Raipur, Chhattisgarh

---- Petitioner

Versus

1. Chhattisgarh State Information Commission Through Its Secretary,
Chhattisgarh State Information Commission, Sector-19, North Block, Atal
Nagar, District Raipur, Chhattisgarh
2. Shri S. Jacob Public Information Officer, Office Of Principal Chief
Conservator Of Forest, Aranya Bhawan, Jail Road, Raipur, District Raipur,
Chhattisgarh.

---- Respondents

For Petitioner	: Ms. Aditi Singhvi, Adv.
For Respondents	: Shri Harsh Wardhan, Adv.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

10.01.2020

1. The challenge in the present writ petition is to the order passed by the Learned Counsel for the Respondent No. 1 so far as imposing of penalty of Rs. 2,000/- upon the respondent No. 2 for not promptly releasing information sought by the petitioner under the Right to Information Act, 2005.
2. At the outset, this Court is of the opinion that the issue raised in the instant writ petition already stands decided by this High Court in WPC No. 1405/2017 decided on 18.05.2018 and the said judgment also has the stamp of affirmation by the Division Bench of this Court in Writ Appeal No. 692/2018 decided on 18.09.2018. In both these judgments, it has been categorically held that imposition of penalty under the Right to Information Act, 2005, Section 20 is a discretionary power conferred upon the authorities concerned.

3. Given the aforesaid two judgments, this Court is of the opinion that the present writ petition also deserves rejection in terms of the aforesaid judgments rendered by this court.
4. The Writ Petition thus stands failed and is accordingly rejected.

Sd/-
(P. Sam Koshy)
Judge