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

CWP No.35828 of 2019

Date of Decision : 27.01.2020

Dr. S. Garg

...Petitioner

Versus

State Information Commission, Haryana and anotherRespondents

Coram : Hon'ble Mr. Justice B.S.Walia

Present: Mr. Sardavinder Goyal, Advocate for the petitioner.

Mr. Lokesh Sinhal, Addl. AG, Haryana.

B.S.Walia, J. (Oral)

1. Learned counsel contends that the petitioner had filed an application under the Right to Information Act, 2005, on which orders were reserved by respondent No.2 on 03.12.2018. However, on writ petition being filed by Guru Jambheshwar University of Science and Technology, Hisar i.e. CWP No.4322, 4323, 4325 to 4329, 4331 to 5333, 5335, 4337, 4343, 4345, 4346, 4348 to 4350 and 4353 of 2019, this Court while issuing notice of motion on 24.02.2019 for 30.07.2019, directed the State Information Commission, Haryana to adjourn the cases beyond the date fixed before this Court and not to proceed with the matter any further. Pursuant thereto, order Annexure P/5 dated 23.07.2019, was passed by respondent No.2 that orders had been passed in the complaint filed by the petitioner on 22.07.2019 in the absence of notice of orders of the High Court in the

aforementioned CWPs, vide Annexure P/4 and said order had been placed on record by the Reader of the Commission on 23.07.2019 and in view of the aforementioned position, orders dated 22.07.2019 were recalled. The Registrar of State Information Commission was directed to remove the order from the website and was also directed to take stern action against Reader under the Haryana Civil Service (Punishment and Appeal) Rules, 2016.

2. Grievance of the petitioner is that despite orders Annexure P/5 having been correctly passed, the State Information Commissioner, Haryana, vide order Annexure P/7 dated 08.11.2019, mentioned that order dated 22.07.2019 on the complaint filed by the petitioner had been kept in abeyance, whereas in terms of order dated Annexure P/4 date 22.02.2019, the State Information Commission, Haryana was directed to adjourn the case beyond the date fixed before this Court i.e. 30.07.2019 and was further directed not to proceed with the matter any further.

3. Learned counsel appearing on behalf of respondent No.2 on instructions from Mr. Yagya Dutt Chug, Under Secretary, Haryana State Information Commission, states that reference in order Annexure P/7 dated 08.11.2019 of order dated 22.07.2019 having been kept in abeyance was inadvertent mistake and in fact order dated 22.07.2019 is non-est in view of order of this Court Annexure P/4 dated 25.02.2019 and a decision would be taken on the complaint filed by the petitioner pursuant to the decision of the writ petitions referred to above pending before this Court and subject to the orders as are passed by this Court in the aforementioned cases.

4. The same satisfies learned counsel for the petitioner who on instructions from the petitioner who is present in Court states that in the circumstances he does not wish to pursue the writ petition any further.

5. In view of the position as noted above, the writ petition is disposed of as not calling for any further orders.

(B.S.Walia)
Judge

27.01.2020.

rajesh.k.khurana

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