

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

12 WRIT PETITION NO.2981 OF 2020

LOTAN KASHIRAM RAUT
VERSUS
THE COMMISSIONER STATE INFORMATION COMMISSION
AND OTHERS

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Advocate for Petitioner : Mr. Patil Yogesh M.
AGP for Respondent/s-State : Mr. S. B. Pulkundwar.

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CORAM : RAVINDRA V. GHUGE, AND
S. G. MEHARE, JJ.

DATE : 27.09.2021

PER COURT :-

1. The petitioner has put forth prayer clause 11-B as under :

"11. B) To direct the Respondent No.1 commissioner, Nashik to decide Appeal (Exhibit "C") filed by the petitioner within stipulated period, by issuing writ of mandamus or any other appropriate writ or direction as the case may be."

2. The appeal preferred by the petitioner before the Commissioner, State Information Commission, Nashik Division under Section 19(3) of the Right to Information Act, 2005, dated 26.07.2019 has still not been decided. A reminder dated

04.09.2019 was also submitted by registered post.

3. The Right to Information Act provides for a penalty of Rs.250/- per day if the appeal is not decided by the competent authority within a particular time frame.

4. In view of the above, this petition is disposed off with a direction to respondent No.1 to decide the pending appeal, as expeditiously as possible and preferably, on or before 30.11.2021. The petitioner and the contesting respondents shall appear before respondent No.1 on 06.10.2021, at 12.00 noon. Formal notice need not be issued.

5. We make it clear that the State Information Commissioner, while deciding the pending appeal, if not already decided, would take into account the provision with regard to imposition of costs for a delayed decision and in the event the petitioner is entitled to, to such costs, he shall order payment of such costs.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

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vmk/-