

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

(103)

CWP-14929-2021

Date of Decision : August 06, 2021

Sukhwant Singh

.. Petitioner

Versus

State Information Commission Punjab and others .. Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ashwani Bhardwaj, Advocate, for the petitioner.

Mr. Charanpreet Singh, AAG, Punjab.
(keeping in view the advance copy given).

HARSIMRAN SINGH SETHI J. (ORAL)

Present petition has been filed challenging the order dated 27.07.2020 (Annexure P-1) passed by Punjab State Information Commission by which, the appeal filed by the petitioner raising the plea that the information as asked by him, has not been supplied to him.

Learned counsel for the petitioner has failed to point out that what information is yet to be supplied to the petitioner, the only grievance raised is that in the affidavit filed by the department concerned, the date mentioned was incorrect as instead of 21.10.2019, the date mentioned was 21.01.2019, which fact was clarified later that the same was inadvertent mistake and was rectified.

Further, in the facts and circumstances of the present case, it is a conceded position that the petitioner never filed an application under the Right to Information Act, 2005 and has rather given a notice under Section

80 CPC to the Director Food Supplies, Punjab. In the said notice, certain information was asked for by the petitioner in the form of question and not the documents. That being so, once the petitioner did not initiate any proceedings under the Right to Information Act, 2005 and had only given a notice under Section 80 CPC, the respondents were not bound to reply to the same by treating the said notice to be under the Right to Information Act, 2005.

No further argument has been raised to point out any deficiency in the impugned order dated 27.07.2020 (Annexure P-1).

No ground is made out to interfere with the impugned order dated 27.07.2020 (Annexure P-1).

Accordingly, the present writ petition is dismissed.

August 06, 2021
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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