

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

CWP-16413-2021

Date of decision:-25.8.2021

Sudesh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.Jatin Hans, Advocate
for the petitioner.

H.S. MADAAN, J.

Case taken up through video conferencing.

Petitioner – Sudesh daughter of Sh.Bijender Singh, aged 28 years, resident of Kharak Khurd, Tehsil and District Bhiwani is said to have submitted an application under Section 6(1) of Right to Information Act, 2005 to SPIO -cum- Deputy Superintendent of Police, Narnaul seeking certain information. However, no such information was supplied. Petitioner preferred an appeal in that regard before the First Appellate Authority-cum- Superintendent of Police, Narnaul (respondent No.3), which was disposed of inasmuch it was consigned observing that no Right to Information Act application had been moved. Still feeling aggrieved, the petitioner preferred second appeal before State Chief Information Commissioner, Haryana, Chandigarh – respondent No.2. The said respondent No.2 vide order dated 17.2.2021 disposed of the appeal directing the respondent No.4 - SPIO-cum- Deputy Superintendent of

Police, Narnaul to furnish point-wise specific permissible information to the appellant on the basis of record available within 15 days of receipt of copy of the order and further direction was issued to such respondent to furnish point-wise permissible information to the appellant within 30 days after finalization of the inquiry. Some other directions were also issued.

The grouse of the petitioner is that despite issuance of such directions by respondent No.2, no information was provided by respondent No.4. Though subsequently information was provided vide letter dated 22.4.2021 but that was incomplete. Such respondent had sought protection under Section 8 of Right to Information Act for furnishing of remaining information.

Now the petitioner has approached this Court praying for issuance of writ in the nature of mandamus by issuing direction to respondent No.4 to provide information as per order dated 17.2.2021, copy Annexure P1 passed by Chief Information Commissioner, Haryana – respondent No.2.

I have heard learned counsel for the petitioner besides going through the record.

Petitioner ought to have approach State Chief Information Commissioner, Haryana – respondent No.2 informing that despite specific directions issued by such respondent, respondent No.4 had not furnished the complete information thereby not complying with the order passed by him and such State Chief Information Commissioner, Haryana – respondent No.2 may get the order passed by him implemented by way of imposition of penalty or recommending disciplinary action against the

erring officer(s) in accordance with the provisions under Right to Information Act, 2005.

I do not find it a fit case to exercise powers under Article 226 and 227 of the Constitution of India. Therefore, the present petition stands disposed of relegating the petitioner to the remedy of approaching the State Chief Information Commissioner, Haryana – respondent No.2 for redressal of her grievances.

25.8.2021**Brij****(H.S. MADAAN)****JUDGE****Whether reasoned/speaking : Yes/No****Whether reportable : Yes/No**