

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 17184 of 2021 (O&M)

Date of decision : 24.9.2021

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Bikker Singh

.....Petitioner

vs.

State of Punjab through Chief Secretary to Government of
Punjab, Civil Secretariat, Chandigarh and others

.....Respondents

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. N.S. Sidhu, Advocate
for the petitioner.

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H. S. Madaan, J. (Oral)

Case taken up through video conferencing.

Petitioner – Bikker Singh, aged about 45 years son of Mohan Singh, resident of 351/A, Rampura Pind Road, Ward No.9, Rampura Phul, District Bathinda, had applied for grant of information before the Public Information Officer, O/o Additional Deputy Commissioner (Development), District Administrative Complex Barnala. However, feeling that the information was not provided to him in detail, even after a lapse of long time, he had approached the Ist Appellate Authority i.e. Additional Deputy Commissioner (Development)

Barnala, but without success, as such he approached Punjab State Information Commission, Chandigarh, by way of filing second appeal. The Punjab State information Commission, vide order dated 17.11.2020, directed the Public Information Officer, O/o Additional Deputy Commissioner (Development), Barnala, to again supply the information, legible, correct and duly attested to the petitioner-appellant by Registered post within 10 days with a copy to the Commission. On 6.1.2021, although the petitioner -appellant stated that information provided by respondent was incomplete, the respondent stated that available information has already been provided to the appellant and the remaining information, being third party information, cannot be provided. The case was adjourned to 23.2.2021, on which date, the petitioner-appellant admitted that he had received the information and asked to close the case. It was so done accordingly by the State Information Commission. Now the petitioner has approached this Court by way of filing the writ petition craving for issuance of directions to the respondents to provide the information demanded by him under the Right to Information Act, 2005, vide letter dated 5.3.2020.

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

Once the petitioner, who was appellant before the State Information Commission, had made statement before the said Commission on 23.2.2021, admitting that he had received the information and asking for closing the case, then he cannot make a

turn around and say that complete information has not been supplied to him, rather he is estopped by his act and conduct from filing the present writ petition. The writ jurisdiction is to be exercised in exceptional cases and not in routine. This is certainly not a case to exercise the power under Articles 226/227 of the Constitution of India.

Finding no merit in the writ petition, the same stands dismissed.

24.9.2021
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No