

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 24432 OF 2022

Durga Madhab Samanta ***Petitioner***

Mr. S.K. Nanda, Advocate

-versus-

State Information Commissioner, ***Opp. Parties***
Bhubaneswar and another

Mr. Bijaya Kumar Dash, Advocate
(For State Information Commissioner)

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
17.10.2022

Order No.

- 01.
1. This matter is taken up through hybrid mode.
 2. The Petitioner in this writ petition seeks to assail the order dated 17th August, 2022 (Annexure-7) passed in Second Appeal No.416 of 2018, whereby the Commission imposed a penalty of Rs.25,000/- on the Petitioner.
 3. Mr. Nanda, learned counsel for the Petitioner submits that at the relevant time, the Petitioner was suffering from eye disease and the Block Development Officer, Kesinga Block assured him to look after the matter. Hence, he did not take any steps in the matter. As such, the Petitioner is not responsible for not providing information to the applicant at the relevant time. He, therefore, prays for setting aside the impugned order under Annexure-7.
 4. Mr. Dash, learned counsel appearing for the State Information Commission submits that in spite of the Letter dated 13th June, 2022, the Petitioner, who was the P.I.O. at the

relevant time, did not respond and filed his show cause. As such, the Commission has no other option than to impose penalty of Rs.25,000/- on him.

5. Upon hearing learned counsel for the Petitioner and on perusal of the impugned order under Annexure-7, it appears that in Paragraph-8, the Commissioner has observed as under:

“8. From the letter dtd. 13.06.2022 of the Present P.I.O.-cum-A.B.D.O., Kesinga Block it reveals Sri Durga Madhab Samanta, At/P.O.- Konisi, Via.- Golanthara, District-Ganjam being the G.P.E.O. of the Block was the P.I.O. of Kesinga Block during the relevant period. But he did not choose to file any show cause in spite of notice issued and intimation from the Kesinga Block vide letter No.2094 dtd. 13.06.2022 by Regd. Post and also by his Personal Whatsapp number.”

Mr. Nanda, learned counsel for the Petitioner does not have any explanation to the same.

6. In that view of the matter, I find no infirmity in the impugned order under Annexure-7.

7. Accordingly, this writ petition being devoid of any merit stands dismissed.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge

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