

**206 IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

**CWP No. 4855 of 2022 (O&M)
Date of Decision: 26.05.2022**

Kant Raman Singh

.....Petitioner

Versus

Chief Information Commissioner, State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Gunjan Mehta, Advocate,
for the petitioner.

Mrs. Akshita Chauhan, AAG Punjab
assisted by Sh. Lal Singh, Patwari, Khadoor Sahib, Tarn Taran.

MAHABIR SINGH SINDHU. J.

Present civil writ petition has been filed under Article 226 of the Constitution, *inter-alia*, for issuance of a writ, in the nature of certiorari for quashing the impugned order dated 08.09.2021 passed by respondent No.1 whereby Second Appeal No.1655 of 2021 filed by petitioner was disposed off by Punjab State Information Commission (for short “the Commission”).

2. Facts are not in dispute.

3. Briefly stated that petitioner submitted an application dated 08.10.2020 under section 6 of the Right to Information Act, 2005 (for short “the Act”) before the State Public Information Officer, Tarn Taran-respondent No.3 (for short “the SPIO”) for seeking certain information.

Since no response was received, therefore, petitioner preferred an appeal before District Revenue Officer, Taran Tarn-first appellate authority.

Still there was no positive response, therefore, ultimately, petitioner preferred second appeal before the Commission which was disposed off while passing the impugned order with the observation that SPIO has provided information to the counsel for petitioner which was available in the office of Public Authority and for remaining information, he has been advised to contact the concerned *Halqa Patwari*. Hence the present petition.

4. It is contended by learned counsel for the petitioner that he is 82 years of age and running from pillar to post, but desired information has not been supplied to him by the concerned quarter despite the specific order of the Commission.

Also contended that after passing of the impugned order dated 08.09.2021, petitioner sent an e-mail to the State Commission, but his grievance has not been redressed till date.

5. Heard learned counsel for the petitioner and perused the paper book.

6. Before proceeding further, it is necessary to recapitulate para 5 of the application made by petitioner for seeking the requisite information which reads as under:-

- 1. To produce land record of 3435 Kanal Land at Guggrewal Hadbast No.158 Kadoor Sahib, Taran Tarn.*
- 2. Supply the copies of record of mutation 382, 383, 384 of land situated at Guggrewal hadbast No.158, Kadoor Sahib Taran Tarn.*
- 3. Previous ownership of land 3435 Kanal Land.*
- 4. Gaggrewal Panchayat Land record holding 460 acre land as from where land acquired.*

5. *Thakur Aridalan Land holding as per Jamabandi 1973-1974, 2003-2004, 95 acres record.*

7. This Court has gone through the impugned order dated 08.09.2021 passed by the Commission and perusal of the same reveals that in pursuance of order dated 15.07.2021, counsel for petitioner visited the office of Public Authority on 30.07.2021 and after inspection of the record, copies of jamabandis for the year 1959-60 as well as copies of mutation Nos. 382, 383 and 384 were supplied to him. The impugned order further reveals that for the remaining information, counsel for petitioner was advised to contact *Halqa Patwari* for which he duly agreed. The order also reveals that a letter dated 30.07.2021 was received from SPIO according to which, copies of jamabandis for the year 1959-60 as well as mutations were furnished to learned counsel representing before the Commission and operative part of the same reads as under:-

“I have gone through letter dated 30.07.2021 vide which the SPIO has provided the copies of Jamabandis for the year 1959-60 and copies of mutation Nos. 382, 383 and 384 to Advocate Rajesh Bhandari, who visited the office of the SPIO on behalf of the appellant on 30.07.2021. Advocate Rajesh Bhandari has made a duly signed noting on the said letter after receiving the information.

The SPIO has provided the information to the counsel of the appellant which was available in the office of the public authority and for the remaining information the appellant is advised to contact the concerned Halqa Patwari. With this observation the present appeal case is disposed of and closed.”

8. During course of hearing, the entire records available with the *Patwari* were produced before this Court and after going through the same, photocopies duly attested by *Halqa Patwari* were handed over to learned counsel for the petitioner.

9. Since complete records whichever available with *Patwari* have been supplied; therefore, dissatisfaction of petitioner seems to be quite unjustified.

10. Above all, in case, the petitioner is still aggrieved against the non-compliance of the impugned order, he has a statutory remedy under Section 20 of the Act before the Commission and he can pursue the same, if so advised.

11. In view of above, there is no option except to dismiss the writ petition.

12. Ordered accordingly.

13. It is made clear that dismissal of the writ petition shall not be considered as a bar to the petitioner for taking recourse to the remedy as per law available before the Commission.

26.05.2022
SN

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable: Yes/No