

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

(203)

CWP-18308-2015

Date of decision: - 05.07.2023

Jan Mohammad**....Petitioner****Versus****State Information Commission and others****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. Rakesh Sobti, Advocate, for the petitioner.

Ms. Palika Monga, DAG, Haryana
for respondent Nos.1 and 2.

Mr. Sunil Kumar Pandey, Advocate
for respondent No.3.

Mr. V.D. Sharma, Advocate
and Mr. Rajinder Sarout, Advocate
for respondent No.4.

VIKAS BAHL, J. (ORAL)

1. Present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents No.3 and 4 to supply the relevant information sought by the petitioner under the RTI and also as directed vide order dated 24.11.2014 (Annexure P-8).

2. Learned counsel for the petitioner has submitted that inspite of order dated 24.11.2014 passed by the State Information Commission Haryana, the authorities have not complied with the same. It is further submitted that in the said order, it was specifically stated that the Director, Development and Panchayats Department, Haryana was

advised to look into the matter and take suitable action under Section 20 (2) of the RTI Act and the action report was required to be sent to the Commission in a reasonable time frame. It is further submitted that as per his information, neither any such report has been submitted nor any action has been taken under Section 20(2) of the RTI Act. It is prayed that the petitioner be permitted to move an application before the State Information Commissioner, Haryana bringing to his notice the fact that neither any action under Section 20(2) of the RTI Act has been taken, nor any action report has been sent to the Commission for the consideration of the State Information Commission.

3. Learned State counsel as well as learned counsel for respondent No.4/Sarpanch has submitted that the Sarpanch who has to comply with the order has not been impleaded by name as a party.

4. Keeping in view the above-said facts and circumstances, the present writ petition is disposed of with liberty to the petitioner to move an application before the State Information Commission and bring to the notice of the State Information Commissioner, Haryana the aspect of non-taking of action under Section 20(2) of the RTI Act and non-submission of the action report to the Commission. In case, any such application is moved, the State Information Commissioner, Haryana would look into the same as expeditiously as possible.

July 05, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No