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

CWP-14329-2023

Date of decision: 12.07.2023

Yashodhra

...Petitioner

Versus

State Information Commission, Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Amit Kohar, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana, for respondent Nos.1 to 4.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondent No.3 to supply information at point No.2 as demanded by the petitioner under the RTI Application dated 09.08.2019 (Annexure P-5).

2. Learned counsel for the petitioner has submitted that in spite of various orders passed in favour of the petitioner yet the information as sought has neither been supplied nor any order has been passed stating as to why the said information cannot be supplied. Learned counsel for the petitioner has further referred to letter dated 08.07.2022 (Annexure P-21) issued by the Assistant Registrar on behalf of the State Information Commission, Haryana to the effect that the State Public Information Officer-cum-Joint Director has been directed to send his comments on the representation of the petitioner for complying with the order dated 02.03.2021 passed by the Commission by furnishing the complete and correct information within a period of 30 days to

the petitioner failing which penal action was required to be taken as per the provisions of the RTI Act, 2005. It is further submitted that in spite of the said letter, the required information has not been given and no action has been taken in the present case. It is contended that the petitioner has given a detailed representation dated 06.06.2023 (Annexure P-24) to the State Information Commission, Haryana, detailing her grievances and she would be satisfied in case, respondent No.1 is directed to consider the said representation dated 06.06.2023 (Annexure P-24) in a time bound manner and to take appropriate action, in accordance with law and in case, the pleas raised by the petitioner are not meritorious then to reject the same by passing a speaking order.

3. Learned State Counsel has submitted that they have no objection to the said course of action.

4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with direction to respondent No.1 to consider representation dated 06.06.2023 (Annexure P-24) within a period of six weeks from the date of receipt of certified copy of the present order and in case, the pleas raised by the petitioner are meritorious then to take appropriate action in accordance with law and in case, respondent No.1 is of the opinion that the pleas raised by the petitioner are not meritorious then a speaking order rejecting the same be passed within a period of six weeks from the date of receipt of certified copy of the present order.

12.07.2023*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:- Yes/No****Whether reportable:- Yes/No**