

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-22309-2016

Date of decision : 09.10.2023

Pardeep Kumar

... Petitioner

Versus

State Information Commission, Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vinay Anand, Advocate
for the petitioner.

Ms.Palika Monga, DAG, Haryana
for respondents no.1 to 3.

Mr.Karan Singh Rana, Advocate
for respondent no.4.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing of order dated 10.08.2016 (Annexure P-8) passed by respondent no.1 whereby the respondent society has been declared as not a public authority in the appeal preferred by the petitioner.

2. Learned counsel for the petitioner has submitted that the petitioner had moved an application under Section 6 of the Right to Information Act, 2005 to the State Public Information Officer/ Superintendent, Firms and Societies, Kurukshetra seeking information which was related to respondent no.4. When the information was not supplied, the petitioner had filed first statutory appeal before the District

Registrar, Kurukshetra and when the requisite information was still not

supplied, the petitioner filed second appeal before the State Information Commission, Haryana and the State Information Commission, Haryana vide order dated 10.08.2016 disposed of the said appeal. It is further submitted that in the said order, the Commission had held that respondent no.4 was not a public authority and thus, the information could not be directly sought from respondent no.4. It is stated that it is the said aspect which the petitioner has sought to challenge in the present petition.

3. Learned counsel for respondent no.4 has submitted that in the reply filed by respondent no.4, the stand of respondent no.4 is that the answering respondent no.4 is a public authority and would be governed by the provisions of the Right to Information Act, 2005. It is further submitted that all the documents sought by the petitioner would be supplied to the petitioner within a period of 8 weeks from the date of the receipt of the certified copy of the present order and in view of the same, the present petition be disposed of.

4. Learned counsel for the petitioner has submitted that the petitioner is satisfied with the statement made by learned counsel for respondent no.4 and the present petition be disposed of in terms of the said statement.

5. Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to respondent no.4 to supply the information as sought by the petitioner in Annexure P-1 as expeditiously as possible, preferably within a period of 8 weeks from the date of the receipt of the certified copy of the present order.

(VIKAS BAHL)
JUDGE

October 09, 2023

Davinder Kumar