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

CWP-19004-2020 (O&M)
Date of decision: 21.12.2023

Bharat Bhushan Sharma

...Petitioner

Versus

State Information Commission, Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Suryakant Gautam, Advocate for the petitioner.

Mr. Kunal Muthreja, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to provide the information as sought by the petitioner vide application dated 05.02.2019 (Annexure P-7) under the RTI Act, 2005.

2. On 16.11.2023, this Court had passed the following order:-

“Learned State counsel has filed reply dated 15.11.2023 and paragraph 4 of the said reply reads as under:-

“4. That in response to the same, it is most humbly submitted that the petitioner had sought information on 04 points under the RTI Act out of which, information on 02 points has already been provided to the petitioner, which is admitted by him as well. As regards the remaining 02

points are concerned, it is submitted that the said information is not traceable due to death of the investigating officer. It is submitted that the petitioner has inspected the other available record regarding the present case and asked for supplying the certified copy of documents (28 pages) from the said record, which was got Xeroxed and certified from the PIO, however, the petitioner has not turned up to collect the same rather he has approached this Hon'ble Court by way of filing the present petition. It is submitted that the orders passed by the respondent No. 1 are completely in accordance with law and there is no infirmity or illegality in the said orders. It is further submitted that the certified copy of the documents (28 pages) sought by the petitioner are ready and lying with the PIO, which the petitioner can obtain after making payment of requisite fee, as per the provisions of RTI Act.”

Learned counsel for the petitioner has submitted that the said 28 pages contain information with respect to enquiry no.1617 and still no information with respect to enquiry no.1702 and 1027 has been supplied to the petitioner and with respect to enquiry no.1132, record has been partly supplied.

Learned State counsel on instructions from ASI Sanjay Kumar has submitted that the petitioner can come to the Police Station City Kharar and he would be permitted to inspect the record which is available at the Police Station City Kharar and after inspection of the record, the petitioner would be given copies of the record which the petitioner had sought, in case the same is required to be given to the petitioner, in accordance with law, after the petitioner deposits the requisite charges. The petitioner would appear before the Police Station City Kharar on 21.11.2023 at 11:00 AM.

Adjourned to 19.12.2023.

To be taken up at 12:00 noon.”

3. Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order, the petitioner had gone to inspect the record and he had been provided with the photocopy of nine pages which has been filed by learned State Counsel today during the course of arguments, the same is taken on record and marked as Mark “A”. It is further submitted that the only grievance of the petitioner, which is left, is that certified/attested copies of the said nine pages, which have been received, be supplied to him.

4. Learned State Counsel, on instructions from ASI Kulvinder Singh, has submitted that in case the petitioner comes to the Police Station on 26.12.2023 at 11:00 am, then the petitioner would be given attested/certified copies of the abovesaid nine pages.

5. Keeping in view the abovesaid facts and circumstances, the present writ petition is disposed of with direction that the petitioner would go to the concerned Police Station on 26.12.2023 at 11:00 am and the concerned Incharge of the said Police Station would hand over the attested/certified copies of abovesaid nine pages which have been produced on record today and marked as Mark “A”.

6. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

21.12.2023

Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No