

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

CWP No. 22279 of 2020 (O&M)

DECIDED ON: 31st January, 2023

Bala

.....PETITIONER

VERSUS

State Information Commission and others

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. J.K. Goel, Advocate for petitioner.

Mr. Vivek Saini, Advocate for respondents.

Mr. Sharad Aggarwal, Assistant Advocate General, Haryana.

AVNEESH JHINGAN, J (ORAL)

This writ petition in the nature of Certiorari seeking quashing of order dated 19.8.2020 passed by the State Information Commission, Haryana (for short 'the Commission').

The brief facts are that the petitioner applied with respondent No.3 for information under the Right to Information Act, 2005 (for short 'the Act'). As needful was not done, an appeal was filed and appellate authority vide order dated 24.9.2019 directed to supply information to the petitioner within one month. Needful was not done and the petitioner filed a complaint under Section 18 and 20 of the Act, before the Commission. The complaint was dismissed as time barred.

Learned counsel for the petitioner submits that the petitioner had not filed second appeal but complaint under Section 18 of the Act and there is no limitation period provided.

Learned counsel for respondents are not in a position to dispute the fact that complaint under Section 18 of the Act was filed.

Section 18 of the Act stipulates no limitation for filing complaint, without commenting on merits of case, the impugned order is set side and the matter is remanded back to the Comission to decide Annexure P-11 (annexed with this petition) in accordance with law.

The petitioner is directed to appear before the Commission on 28th February, 2023.

Disposed of.

Since the main case has been decided, pending application, if any is rendered infructuous.

31st January, 2023
reema

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned *Yes*
Whether reportable *No*