

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2156 of 2024

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Nasim Ahmad S/o Late M.S. Alam, R/o Gram-Veernagar (Ekraha), P.O. and
P.S.-Banmankhi, District-Purnia.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary Education Department, Government of Bihar, Patna.
2. Additional Chief Secretary Education Department, Government of Bihar, Patna.
3. The Director (Administration) cum Additional Secretary, Education Department, Government of Bihar, Patna.
4. The District Education Officer cum District Information Officer, Madhubani.
5. The Secretary, Bihar State Information Commission, Soochna Bhawan, Bailey Road, Patna, Bihar.
6. The Registrar, Bihar State Information Commission, Soochna Bhawan, Bailey Road, Patna, Bihar.
7. Shri Satyendra Narayan Yadav, R/o Village and P.O.-Narar, Via Jainagar, District-Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Alok Ranjan
For the Respondent/s	:	Mr.Government Pleader (7)
For State Information Commission:		Smt. Binita Singh Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 21-02-2024 This is an application for quashing and setting aside the letter no. I/105528 dated 16.01.2024 issued under the signature of Director(Administration)-cum-Additional Secretary, Education Department, Government of Bihar, Patna by which a direction has been issued to the petitioner to deposit an amount of Rs. 25,000/- as fine and also for quashing the



order dated 02.01.2024 as contained in memo no. 4582 issued under the signature of State Information Commissioner, passed in Case No. C417 of 2023 by which a fine of Rs. 25,000/- as punishment has been imposed on the petitioner.

2. It has been contended by the learned counsel for the petitioner that the impugned order is perverse and cannot be sustained.

3. The learned counsel appearing for the State Information Commission has tried to defend the impugned order but has not been able to defend the order.

4. These kind of orders are not expected to be passed by the State Information Commission. The show cause should have been considered and discussed by the State Information Commission and thereafter any order prejudicial to the petitioner would have been passed.

5. In these circumstances, this application is allowed and letter no. I/105528 dated 16.01.2024 issued under the signature of Director(Administration)-cum-Additional Secretary, Education Department, Government of Bihar, Patna and order dated 02.01.2024 as contained in memo no. 4582 issued under the signature of State Information Commissioner, passed in Case No. C417 of 2023 are hereby quashed.



6. This application stands allowed.

(Sandeep Kumar, J)

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