

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2041 of 2024

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. The 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, Bhagalpur.
5. The Secretary, State Information Commission, Soochna Bhawan, Bailey Road, Patna, Bihar.
6. The Registrar State Information commission, Soochna Bhawan, Bailey Road, Patna, Bihar.
7. Ajay Kumar Chaurasia, S/O- Late Bidyabhushan Prasad, Bangla no. 85, Anand Bazar, Circular Raod, Danapur Cant. Patna- 801503.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Alok Ranjan
For the Respondent/s	:	Mr. Government Pleader 22
		Mr. Rakesh Ranjan AC to GP 22
For the Information Commission:		Mr. Binita Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 21-02-2024 The petitioner has challenged the order dated 03.03.2023 passed in Case No. 137726/2016-17 by the State Information Commission 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 as the show cause filed has not been considered and



the same has been rejected as having been found unsatisfactory.

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 the impugned order dated 03.03.2023 passed in Case No. 137726 of 2016-17 and consequential order dated 10.05.2023 are hereby quashed.

6. This application stands allowed.

(Sandeep Kumar, J)

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