

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3434 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 Road, Danapur Cant, Patna-801503.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Alok Ranjan

For the Respondent/s : Mr.Additional Advocate General (12)

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 28-02-2024 Heard learned counsel for the petitioner, learned counsel for the State and Smt. Binita Singh for the State Information Commission.

2. This application has been filed on behalf of the petitioner for quashing the order dated 12.12.2023 contained in Memo No. 4449 dated 15.12.2023 issued under the signature of Authorized Officer, State Information Commission, Patna passed in Case No. 138009/16-17 by which a fine of Rs.



25,000/- has been imposed upon the petitioner.

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

4. 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.

5. 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.

6. In these circumstances, this application is allowed.

7. Accordingly, the order dated 12.12.2023 contained in Memo No. 4449 dated 15.12.2023 passed by the State Information Commission in Case No. 138009/16-17 is hereby quashed.

(Sandeep Kumar, J)

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