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

CWP-2041-2024

Date of decision: 01.02.2024

Kuldeep

...Petitioner

Versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. S.S. Nain, Advocate for the petitioner.

Ms. Palika Monga, DAG, Haryana.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Article 226/227 of the Constitution of India for the issuance of a writ in the nature of mandamus directing the respondents to decide the representation dated 19.09.2023 (Annexure P-12).

2. Learned counsel for the petitioner has submitted that as per order dated 09.08.2022 (Annexure P-5), the State Information Commissioner had directed the SPIO to furnish information qua point No.3 of the RTI application dated 21.08.2021 within a period of seven days of the receipt of the said order. It is further submitted that till date, said information qua point No.3 has not been provided and his representation dated 19.09.2023 (Annexure P-12) is pending but no action has been taken on the same.

3. Learned State Counsel appearing on behalf of respondent No.1

has submitted that subsequent to the representation dated 19.09.2023 (Annexure P-12), two communications dated 06.10.2023 and 14.12.2023 have been issued to the petitioner but the petitioner has not responded to the same. It is contended that in case the petitioner appears before the State Information Commissioner then the plea raised by the petitioner would be considered in accordance with law.

4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with the following directions:-

- a) The petitioner would appear before the State Information Commissioner on 08.02.2024 and also on such dates which the State Information Commissioner may direct him to appear.
- b) The State Information Commissioner is directed to consider the representation dated 19.09.2023 (Annexure P-12) of the petitioner and to pass appropriate orders on the same as expeditiously as possible.

5. This Court has not opined on the merits of the case and the State Information Commissioner would consider the case of the petitioner independently, in accordance with law.

01.02.2024
Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:-	Yes/No
Whether reportable:-	Yes/No