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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-3968-2024
Date of decision: 21.02.2024

Vikram Dev Singh Sarang ...Petitioner

Versus

CPIO/Estate Officer and another ...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Bindiya Sharma, Advocate and
Mr. Deepak Kumar, Advocate for the petitioner.

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 provide the information under the Right to Information Act, 2005 vide application dated 15.12.2019 and the receipt of application dated 16.12.2019 regarding seeking of information.
2. Learned counsel for the petitioner has submitted that vide order dated 16.09.2021 (Annexure P-2), the Central Information Commission had disposed of the case with the following observations:-

“Keeping in view the facts of the case and the submissions made by both the parties, the Commission directs the CPIO to furnish an affidavit before the Commission with a copy to the Appellant, explaining the factual position regarding the reasons for not disclosing the information to the Appellant. The affidavit must specifically state as to how the disclosure of the information sought by the Appellant could

affect the process of litigation within a period of 21 days from the date of receipt of this order under the intimation to the Commission.

The Appeals stand disposed accordingly”

3. It is submitted that since the abovesaid order was not complied with, the petitioner filed a complaint dated 16.10.2023 (Annexure P-3) in which vide order dated 02.11.2023 (Annexure P-4), the Central Information Commission had observed that since, the appeal has already been disposed of thus, the application would not be maintainable but liberty was granted to the petitioner to file an application for non-compliance with respect to the abovesaid order. It is further submitted that although, the petitioner had submitted an application dated 23.11.2023 (Annexure P-5) to the Central Information Commission, however, the same is pending and has not been decided till date. It is prayed that the petitioner would be satisfied at this stage in case direction is given to respondent No.2 to decide the application dated 23.11.2023 (Annexure P-5) as expeditiously as possible.

4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with direction to respondent No.2 to consider and decide the application dated 23.11.2023 (Annexure P-5) as expeditiously as possible, in accordance with law.

5. This Court has not opined on the merits of the case and respondent No.2 would consider the case of the petitioner independently, as expeditiously as possible, in accordance with law.

21.02.2024

Pawan

**Whether speaking/reasoned:-
Whether reportable:-**

**(VIKAS BAHL)
JUDGE**

**Yes/No
Yes/No**