

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(102)

CWP-7867-2024

Date of decision: - 08.04.2024

Sunder Singh

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Deepak Grover, Advocate,
for the petitioner.

VIKAS BAHL, J. (ORAL)

1. Present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to provide information to the petitioner in view of the order dated 02.01.2024 (Annexure P-12).

2. Learned counsel for the petitioner has submitted that the State Information Commissioner, Haryana had passed an order dated 02.01.2024 (Annexure P-12), the relevant portion of which is as under: -

“.....the Commission disposed off the appeal with the following directions:-

i) The SPIO-cum-Block Development & Panchayat Officer, Hathin; Smt. Sangeeta SPIO-cum-Sarpanch, Gram Panchayat Jainpur Block Hathin District Palwal and ASPIO-cum-Gram Sachiv, Gram Panchayat Jainpur Block Hathin District Palwal are directed to refund the documentation charges of Rs.18600/- to the appellant, within two weeks from the date of receipt of the order.

ii) Smt. Sangeeta SPIO-cum-Sarpanch, Gram Panchayat Jainpur Block Hathin District Palwal and ASPIO-cum-Gram Sachiv,

Gram Panchayat Jainpur Block Hathin District Palwal are directed to supply the requisite/permisible/discloseable information to the appellant (point-wise in an annotated form), free of costs, strictly as per the provisions of the RTI Act, 2005, within two weeks from the date of receipt of the order, under intimation to the Commission.

iii) Since there is delay in supplying the information to the appellant, a show cause notices under Section 20(1) of the RTI Act, 2005 be issued to Smt. Sangeeta SPIO-cum-Sarpanch, Gram Panchayat Jainpur Block Hathin District Palwal and ASPIO-cumGram Sachiv, Gram Panchayat Jainpur Block Hathin District Palwal with the direction to them to explain the reasons for not providing the information to the appellant as well as the other lapses in non-furnishing the information to the appellant. They are required to submit his/their reply as to why penalty @ Rs.250/- subject to maximum of Rs.25,000/- for delay in not supplying the information to the appellant be not imposed upon them. They are further directed to submit his/their written reply by 10.07.2024 and be personally present during the next hearing on 30.10.2024 at 11-30 a.m. If there are other persons responsible for the delay in providing information to the appellant, the SPIO/Deemed SPIO is/are directed to communicate the same in writing to such persons and direct them to file reply to the show cause notice and to appear in person before the Commission on the date fixed, for which no further opportunity shall be granted.

Announced. To be communicated.

*Place: Chandigarh
Dated. 02.01.2024*

*(Pradeep Kumar Shekhawat)
State Information Commissioner
Haryana”*

3. Learned counsel for the petitioner has submitted that directions No.1 and 2 have not been complied with by the authorities and thus, the petitioner seeks to withdraw the present writ petition with liberty to file an application before the State Information Commission, Haryana bringing the said fact to the notice of the authorities and for enforcement of the said order.

4. In view of the above, the present writ petition is dismissed as

withdrawn, with the aforesaid liberty.

5. In case, any such application is filed, the same be disposed of as expeditiously as possible.

April 08, 2024
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No