

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

(103)

CWP-7911-2024

Date of decision: - 08.04.2024

Sajjan Kumar Dokwal

....Petitioner

Versus

State Information Commissioner and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. C.R. Narwal, Advocate, for the petitioner.

Ms. Rajni Gupta, Additional Advocate General, 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 No.3 and 4 to comply with the order dated 23.08.2023 (Annexure P-5) passed by respondent No.1.

2. Learned counsel for the petitioner has submitted that with respect to the RTI application dated 02.09.2022 (Annexure P-1), filed by the petitioner, the State Information Commissioner, vide order dated 23.08.2023 had disposed of the case with the following directions: -

“5. In view of the above, the Commission decides to dispose of the case with the following directions:-

- i) The State Public Information Officer–cum-XEN, Haryana State Agriculture Marketing Board, Hisar is directed to afford an opportunity to the appellant to inspect the relevant records 4 relating to the RTI application dated 2.9.2022 within a month. He shall inform the date & time to the appellant through registered post. Consequent upon the inspection, the appellant can take photocopies/extracts there from, free of cost, upto 50 pages. If the

appellant wants to obtain more pages, the same be supplied by charging the documentation charges @ Rs. 2/- per page. In case, the appellant fails to appear on the date fixed, then another chance be given to the appellant. All the correspondence be made with the appellant through registered post.

- ii) Appellant is also directed to appear before the SPIO for inspecting the record on the date fixed by the SPIO.*

Announced. To be communicated.

*Place: Chandigarh
Dated: 23.8.2023*

*(Jai Singh Bishnoi)
State Information Commissioner,
Haryana.”*

3. Learned counsel for the petitioner has further submitted that since the said order was not complied with, the petitioner had moved an application dated 05.03.2024 (at page 35 of the paper-book) and has prayed that the petitioner, at this stage, would be satisfied in case respondent No.1 is directed to consider the said application dated 05.03.2024, as expeditiously as possible and proceed in accordance with law.

4. Keeping in view the above-said facts and circumstances and the limited prayer by learned counsel for the petitioner, the present writ petition is disposed of with a direction to respondent No.1 to consider the application dated 05.03.2024, as expeditiously as possible and after considering the same, take the appropriate action in accordance with law.

5. It is made clear that this Court has not opined on the merits of the case and respondent No.1 would consider and decide the matter independently, in accordance with law.

April 08, 2024
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(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No