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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-12401-2024
Date of decision: 24.05.2024

Deepinder Singh and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. R.K. Choudhary, Advocate for the petitioners.

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 respondent No.6 to get implemented its order dated 08.03.2018 (Annexure P-6) whereby respondent No.6 directed respondent Nos.4 and 5 to search the record of their respective offices and furnishing the requisite information.

2. Learned counsel for the petitioners has submitted that the State Information Commission, Haryana, vide order dated 08.03.2018 was pleased to pass the following order:-

“6. In view of the facts noted above, the Commission allows the appeal as under:

(i) The SPIO-cum-City Magistrate, Rohtak and the SPIO-cum- Deputy Superintendent of Police (HQ), Rohtak shall



search the record of their respective offices and furnish the requisite information to the appellant within thirty days of the receipt of this order. The respondent SPIOs shall submit compliance report so as to reach the Commission's Secretariat latest by 24.04.2018.

(ii) The appellant, in case finds any deficiency in the furnished information by the respondent SPIOS, may file specific rejoinder with the concerned SPIO with a copy to the Commission within fifteen days of the receipt of the information. The SPIO concerned will furnish permissible Information to the appellant within next fifteen days from the date of receipt of appellant's rejoinder. If no response is received within the stipulated period needless to say the appellant has the liberty to approach this Commission to proceed further.

Announced. To be communicated.

Place: Chandigarh.

Sd/-

Dated: 08.03.2018

(Yash Pal Singal)

*Chief Information Commissioner,
Haryana”*

3. Learned counsel for the petitioners has submitted that no information was given and liberty was given to the petitioners to approach the Commission and thereafter, the petitioners filed the detailed representation dated 09.11.2023 (Annexure P-13) and subsequently, came to this Court and a Coordinate Bench of this Court vide order dated 12.12.2023 (Annexure P-12) had granted liberty to the petitioners to pursue their alternative remedies which would include pursuing the application filed before the Commissioner.

4. A perusal of the representation (Annexure P-13) would show



that appropriate prayers and pleadings have not been made in the same.

5. Learned counsel for the petitioners has submitted that the petitioners would file an appropriate application in accordance with law after giving full and better particulars before the State Information Commission, Haryana and has submitted that in case of the petitioners doing so, the State Information Commission, Haryana be directed to decide the said application as expeditiously as possible.

6. Keeping in view the abovesaid facts and circumstances and limited prayer made by learned counsel for the petitioners, the present Civil Writ Petition is disposed of with the following directions/observations:-

- i) It would be open to the petitioners to file an appropriate application before the State Information Commission, Haryana within a period of one month from today, bringing to its notice that earlier order dated 08.03.2018 (Annexure P-6) passed by the Commissioner has not been complied with.
- ii) In case of petitioners doing so, the State Information Commission, Haryana is directed to decide the same as expeditiously as possible.

24.05.2024

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No