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

**201** **CWP-10684-2021 (O&M)**
**Date of decision : 18.02.2025**

**PRADHUMAN SINGH, HCS**

..... Petitioner

**VERSUS**

**STATE INFORMATION COMMISSION, HARYANA AND ANOTHER**

..... Respondents

**CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present :- Mr. Vivek Singla, Advocate
for the petitioner.

Mr. Saurabh Girdhar, AAG, Haryana
for respondent No.1.

None for respondent No.2.

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**Harsimran Singh Sethi, J. (Oral)**

1. In the present petition, the grievance being raised by the petitioner is that the petitioner has been imposed penalty by the Information Commission by way of orders dated 12.10.2020 (Annexure P-8) and 07.01.2021 (Annexure P-10) and that too without appreciating the correct fact.

2. Learned counsel for the petitioner submits that the information sought by the complainant had already been given to him vide letters dated 25.06.2019 (Annexure P-2) and 09.03.2020 (Annexure P-7) and the Commission was informed about the said fact.

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3. Learned counsel for the petitioner further submits that despite giving the information sought, without discussing upon the crucial point as to how the petitioner is at fault in supplying the information after a delay, the petitioner has been imposed with the penalty which is arbitrary and illegal. Hence, the impugned order imposing the penalty upon the petitioner is liable to be set aside.

4. Learned counsel for the respondent No.1 submits that the order has been passed by the Information Commission. Hence, the same be decided on merits keeping in view the details given in the impugned order

5. No one has appeared on behalf of respondent No.2 despite service.

6. I have heard learned counsel for the parties and have gone through the record with their able assistance.

7. The essence of imposing the penalty is castigating an officer and the same can only be done with due care and by giving due reasons for the penalty to be imposed.

8. In the present case, no valid reason has been given as to how, the information sought by the complainant has been delayed by the petitioner and in what manner. Nothing has been discussed as to how, the petitioner was responsible for the delay if any, in releasing of the information sought. In the absence of any such fact recorded, the penalty imposed upon the petitioner cannot be sustained.

9. Keeping in view the above, impugned order dated 07.01.2021 (Annexure P-10) imposing the penalty of Rs.25,000/- upon the petitioner is

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set aside and petition is allowed in above terms.

10. Pending applications, if any, also stand disposed of accordingly.

**(HARSIMRAN SINGH SETHI)**
**JUDGE**

**18.02.2025**

Rimpal

Whether speaking/reasoned Yes
Whether Reportable : No

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