



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

Date of Decision : 07-01-2025

1. **CWP-28012-2023 (O&M)**

UNION TERRITORY, CHANDIGARH Petitioner

VERSUS

**CENTRAL INFORMATION COMMISSION AND ANR
.....Respondent(s)**

2. **CWP-18784-2023 (O&M)**

JAGJEET SINGH Petitioner

VERSUS

**STATE OF UNION TERRITORY, CHANDIGARH AND ORS.
.....Respondent(s)**

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Shivani Jaglan, Advocate for
 Ms. Aashna Gill, Junior U.T Panel Counsel
 For the petitioner in CWP No.28012 of 2023.

 Mr. Nitin Sharma, Advocate
 For the petitioner in CWP No.18784 of 2023
 And for the respondent in CWP No.28012 of 2023.

 Mr. Mayank Sharma, Govt. Pleader, U.T., Chandigarh,
 For respondent Nos.1,3, 4 and 5 in CWP No.18784 of 2023.

 Mr. Maheshinder Singh Sidhu, Addl. Standing counsel
 For respondent No.2-U.T., Chandigarh in CWP No.18784 of
 2023.

HARSIMRAN SINGH SETHI, J. (Oral)

1. Present set of two writ petitions involve common question of

law in the background of common set of facts and thus they are being decided by a common order.

2. The challenge in the present set of two writ petitions is to the order dated 13.07.2023, copy of which has been appended as Annexure P-24 passed in CWP No.18784 of 2023. The petitioner Jagjeet Singh is challenging the said order on the ground that information being asked for has not been supplied to him whereas the Chandigarh Administration has grievance against the order of grant of Rs.10,000/- as compensation to Jagjeet Singh keeping in view the fact that he has been attending the hearings to seek the information being asked for, even when the commission was conducting the hearing in Delhi.

3. Learned counsel for the petitioner in CWP No.18784 of 2023 submits that the information has not been supplied to him on the round that the said information is a 3rd party information which is liable to be exempted under Section 8 of the Right to Information Act, as held in the impugned order hence, it is liable to be set aside and the Police Department should be directed to provide the information to the petitioner in CWP No.18784 of 2023.

4. The further prayer of the petitioner in CWP No.18784 of 2023 is that even the penalty should have been imposed upon the SPIO for not giving him the information.

5. On the other hand, the Chandigarh Administration is contending that once, the information sought for, was exempted under the Act, non-supply of the same was valid and merely that the applicant had

attended the hearing in Delhi, the Chandigarh Administration should not be burdened with Rs.10,000/- cost.

6. I have heard learned counsel for the parties and have gone through the records of the present case with their able assistance.

7. After taking into consideration all the relevant facts, the commission has recorded a categorical finding that the information being asked for is a 3rd party information and is exempted under Section 8 of the Right to Information Act. Concededly, the information is qua the officers working with the Chandigarh Administration hence, the findings recorded by the Commission in favour of the Chandigarh Administration qua the information asked for needs no interference.

8. Prima facie, petitioner in CWP No.18784 of 2023 i.e. Jagjeet Singh was also an employee of the Chandigarh Police, who has recently been compulsorily retired keeping in view certain disciplinary proceedings conducted against him. From the said fact, it can be safely inferred that asking of the information qua the other officers working with the Chandigarh Administration or the other Police officers is in retaliation of the action being taken against him.

9. Though, it is the duty of the applicant to attend the proceedings but as the same were being held in Delhi, the direction given by the Information Commission to pay Rs.10,000/- to Jagjeet Singh needs no interference as petitioner/applicant had undertaken special efforts to attend the same even at Delhi.

10. No ground is made out for any interference by this Court in the facts and circumstances of the present set of cases.

11. Hence, the present set of two petitions stands dismissed.
12. Pending application, if any, also stands disposed of.
13. Photocopy of this order be placed on the file of other connected case.

07-01-2025
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

NOTE: Whether speaking: YES/NO
Whether reportable: YES/NO