

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2306 of 2025

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Awadhesh Kumar Son of Gorakh Manjhi, Resident of Amwa Nakchhera, P.S.-
Dumariya, District- Gopalganj. At present posted as District Programme
Officer (Establishment) Siwan-cum-Public Information Officer, Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through Additional Chief Secretary, Department of Education, Bihar, Patna.
2. The Commissioner, State Information Commission, Bihar, Patna.
3. The District Education Officer, Siwan-cum-First Appellate Authority, Siwan.
4. D.K. Swarnkar, Saket Nagar Chauraha, Dewaria (Shahi Cement Ki Uattari gali), Post and District- Dewaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sri Krishna Ranjan
For the Respondent/s	:	Mrs. Archana Meenakshee, GP-06
		Mrs. Binita Singh, SIC

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 24-07-2026 Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The instant writ application has been filed for the
following reliefs:-

- (i) For quashing of the order dated 22.10.2024 passed in Case No.A-5471/2021 by State Information Commissioner, Bihar, Patna by which the petitioner has been awarded cost of Rs.25,000 under Rule 20(i) of the Right of Information Act.
- (ii) For directing the respondents to not to recover the said amount from the petitioner.
- (iii) For any other directions for which the petitioner is entitled for in the facts and circumstances of the case.



3. It is the case of the petitioner that the information sought by the applicant has already been provided and the reasons for not furnishing the information within time cannot be attributed to him, as the petitioner joined the post on 28.09.2022, whereas the application seeking information was made on 23.09.2020. It is further submitted that the petitioner was not discharging the duties of the Public Information Officer in the office of the District Programme Officer (Establishment) at the relevant point of time. Therefore, the impugned order directing the petitioner to pay a cost of Rs.25,000/- under Section 20(i) of the Right to Information Act, as communicated vide Memo No.1001 dated 28.10.2024, is required to be interfered with.

4. Per contra, learned counsel appearing for the State Information Commission, with reference to Annexure-P/8, i.e., Letter No.1186 dated 19.10.2024, submits that the aforesaid facts and documents were never brought to the notice of the State Information Commission, and therefore, the impugned order came to be passed.

5. Having regard to the submissions advanced by the parties and considering that the material facts relied upon by the petitioner does not appear to have been placed before the State



Information Commission, as is evident from the impugned order, this Court deems it appropriate to set aside the order dated 22.10.2024 passed in Case No. A-5471/2021.

6. The petitioner is directed to appear before the State Information Commission along with a representation enclosing all relevant documents in support of his case within a period of three weeks from today. Upon such appearance, the State Information Commission shall consider the representation and the documents placed on record, and pass a reasoned and speaking order in accordance with law.

7. With the aforesaid observations and directions, the writ application stands disposed of.

(Ajit Kumar, J)

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