



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

CWP-720-2014 (O&M)

Date of decision: 05.05.2026

Narinder Pal Sharma

....Petitioner

Versus

Central Information Commission and others

....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Harbans Sharma, Advocate, and
Mr. Harnoor Singh, Advocate,
for the petitioner.

Mr. Dharam Chand Mittal, Senior Panel Counsel,
for respondent No.1.

Mr. Parminder Singh Kanwar, Additional Standing Counsel,
Mr. Tajeshwar Sullar, Panel Counsel,
for respondent No.3.

KULDEEP TIWARI, J. (Oral)

1. The instant writ petition, as cast under Articles 226/227 of the Constitution of India, is directed against the order dated 11.12.2013 (Annexure P-10), vide which, the Chief Information Commissioner, has imposed a penalty of Rs.25,000/- upon the petitioner.

2. Learned counsel for the petitioner submits that the Chief Information Commissioner failed to record its satisfaction that the delay, if any, was willful and intentional at the end of the petitioner, therefore, the penalty ought not to have been imposed upon him. Further, he submits that, in fact, the application dated 18.03.2013 (Annexure P-2), filed by respondent No.2, under the Right to Information Act, 2005, was never received by the petitioner, in original, due to wrong address, but was received through the First Appellate Authority on 17.05.2013. Thereafter, the application was forwarded to the holder of the information, i.e. Sub Divisional Engineer, on 25.06.2013, with a copy to respondent No.2. Not only that, even a reminder was sent by the



petitioner-CPIO on 25.07.2013 to the Sub Divisional Engineer, who, in turn, provided the requisite information.

3. He asserts that the information could only be provided to respondent No.2, after retrieving the same from Accounts Department, as such, the application was forwarded to the Divisional Accounts officer on 06.08.2013. As a result, the necessary information was provided to the petitioner on 23.08.2013. Accordingly, after getting the information from the concerned departments, the same was provided to applicant-respondent No.2 on 03.09.2013. In this view of the matter, the petitioner cannot be held responsible for intentionally causing any delay in supplying the information to respondent No.2.

4. This Court has heard the learned counsel for the parties, and has also perused the records.

5. Upon a thorough scrutiny of the impugned order, coupled with the sequence of events, as narrated above, there appears to be some delay on the part of the petitioner-CPIO, in the process of forwarding the application to the custodians of the information, however, it cannot be termed as intentional or willful. It is pertinent to mention that there is nothing on record, which could even remotely suggest that incorrect or incomplete information was supplied by the petitioner-CPIO. Neither the applicant-respondent No.2, nor anyone on his behalf is present to pursue the matter. In such circumstances, this Court is of the considered view that there was no compelling occasion for the Chief Information Commissioner to saddle the petitioner with such a harsh penalty.

6. In the wake of the above, the impugned order is unsustainable, and thus, the same is **set aside**. Resultantly, the instant writ petition stands **allowed**.

(KULDEEP TIWARI)
JUDGE

05.05.2026
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No