



**CWP-18631-2025 and
CWP-18678-2025**

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

(201)

Date of Decision : 21.01.2026

1. CWP-18631-2025

Postgraduate Institute of Medical Education
and Research, Chandigarh

...Petitioner

Versus

Central Information Commission and another

...Respondents

2. CWP-18678-2025

Postgraduate Institute of Medical Education
and Research, Chandigarh

...Petitioner

Versus

Central Information Commission and another

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Sahil Shehrawat, Advocate
Mr. Abhishek K. Premi, Advocate
for the petitioner(s) in both the cases.

Respondent No.2, in person.

KULDEEP TIWARI, J. (ORAL)

1. Both these petitions are amenable to be decided together as the Petitioner-Institute, has approached this Court, by filing these petitions under Article 226/227 of the Constitution of India, against the directions issued by the respondent No.1-Central Information Commission, New Delhi, wherethrough, the respondent No.1, by passing a common order dated



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Institute, to allow the respondent No.2, to file an application under Right to Information Act, 2005 (for short 'the Act of 2005'), to inspect the record, and thereupon, supply a copy of the response sheet/answer sheet, as desired by the applicant/respondent No.2, at the time of inspection. Therefore, the same are taken up together for adjudication.

2. Further condition was imposed in the order (supra), that no information shall be furnished by the PIO, to the applicant/appellant, which is exempted from disclosure under the Act of 2005, and in case, the relevant record contains any third party information, or any other exempted information, then the same must be redacted or blacked out, as per Section 10 of the Act of 2005, prior to the said inspection. The petitioner-Institute was given 30 days time to make compliance of the directions (supra).

3. Learned counsel for the petitioner apprises this Court that in view of the policy dated 02.02.2022 (Annexure P-1 and P-2), respectively, adopted by PGIMER, the question paper is to be destroyed within a period of three days, and the answer sheet is to be destroyed within a period of six month, from the date of the examination. He further submits that in compliance to the policy (supra), the question paper and the answer sheet in question, has already been destroyed, and therefore, the petitioner-Institute has left with no relevant documents, enabling the applicant/respondent No.2, to inspect, for supply of answer sheet, in question.

4. On the other hand, respondent No.2, who has caused appearance in person before this Court, submits that his grievance has not been addressed, as without any rhyme or reason, he has been deprived of his rightful entitlement, as the requisite information has not been supplied to



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5. This Court has considered the submissions made by the parties concerned, and has gone through the available record.

6. Though in view of Section 22 of the Act of 2005, any policy or instructions of the petitioner-institute, cannot override the implementation of the Act of 2005. However, since a specific statement has been made by learned counsel for the petitioner, on instructions imparted to him by Prof. Sameer Malhotra, Incharge (Examination), who is present in the Court that requisite information as sought by the respondent No.2, has already been destroyed, and therefore, this renders the impugned order unexecutable.

7. In view of the above, this Court is of the considered opinion that the applicant/respondent No.2, has filed the application post destruction of the question paper and the answer sheet, respectively. Therefore, the directions to make compliance of the order (supra), as passed by the Central Information Commission, New Delhi, are hereby, **set aside**. However, liberty is afforded to the respondent No.2, to take apposite remedial measures, for redressal of his grievance, in accordance with law.

8. Consequently, the instant writ petition is **disposed of**.

9. Photocopy of this order be placed on the connected case file, as numbered above.

(KULDEEP TIWARI)
JUDGE

January 21, 2026
Manpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No