

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

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CWP-24823-2025

Date of Decision : March 23, 2026

GULSHAN RAI SANGAR

-PETITIONER

V/S

STATE OF PUNJAB AND ORS.

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Jashandeep Singh, Advocate (Legal Aid Counsel)
for the petitioner.
(Through V.C.)

Mr. Sahil R. Bakshi, A.A.G., Punjab.

Mr. Sameer Sachdeva, Advocate
for the respondent No.4.

KULDEEP TIWARI, J. (ORAL)

1. The challenge enclosed in the instant writ petition is to two separate orders dated 22.01.2025 (Annexures P-16 and P-17) passed by the respondent No.3- Punjab State Information Commission (hereinafter referred to as the "S.I.C.").

2. Succinctly stated, the petitioner submitted two applications dated 03.05.2017 and 13.07.2017 seeking certain information from the respondent No.4 under the Right to Information Act, 2005 (hereinafter referred to as the "R.T.I. Act"). Deriving grievance from the failure of the respondent No.4 to furnish the desired information, and having failed to obtain relief even before the First Appellate Authority, the petitioner approached the S.I.C. However, the S.I.C., through drawing the impugned orders, closed the proceedings. In this way, the non-supply of the desired information, coupled with the closure of the case by the S.I.C., has propelled

the petitioner to invoke the writ jurisdiction of this Court.

3. Learned counsel for the petitioner contends that the S.I.C. has failed to discharge its statutory duty inasmuch as it has not recorded any finding or satisfaction as to whether the information sought by the petitioner, point-wise, had in fact been furnished. It is submitted that the impugned orders have been passed in a cursory and mechanical manner, without proper application of mind, rendering them legally unsustainable and liable to be set aside.

4. *Per contra*, learned counsel for the respondent No.4 submits that the petitioner is a habitual litigant who, following his dismissal from service by the respondent No.4, has engaged the respondent No.4 in multiple litigations relating to service dispute. It is further submitted that all information disclosable under the R.T.I. Act has already been furnished to the petitioner, and an affidavit to that effect has also been placed on record.

5. Having heard learned counsel for the parties and perused the material available on record, this Court is of the considered view that the S.I.C. has failed to return any definitive finding as to which portions of the information sought in the applications (*supra*), and permissible under the RTI Act, were actually supplied to the petitioner. Moreover, there is no discernible satisfaction recorded with respect to whether point-wise information sought by the petitioner was supplied or not. Such an exercise was incumbent upon the S.I.C., however, the impugned orders are conspicuously silent in this regard. The relevant paragraph of the impugned orders are extracted hereunder:-

“Order dated 22.01.2025 passed in Complaint Case No. 0945 of 2017

5. After hearing both parties and reviewing the case file, the

respondent PIO is directed to file an affidavit detailing the factual situation of the case. The affidavit must specifically state what was submitted during the hearing-that no additional information is pending as all requisite information has already been supplied to the appellant. This affidavit must be duly notarized and submitted within two days of the issuance of this order. The appellant also agreed to this course of action.”

“Order dated 22.01.2025 passed in Complaint Case No. 0946 of 2017

5. After hearing both parties and reviewing the case file, the respondent PIO is directed to file an affidavit detailing the factual situation of the case. The affidavit must specifically state what was submitted during the hearing-that no additional information is pending as all requisite information has already been supplied to the appellant. This affidavit must be duly notarized and submitted within two days of the issuance of this order. The appellant also agreed to this course of action.”

6. A bare perusal of the impugned orders demonstrates a patent non-application of mind to the rival submissions advanced by the parties. The impugned orders, thus, fail to withstand judicial scrutiny and cannot be sustained in the eyes of law. Consequently, the **impugned orders are set aside**, and the **matter is remanded to the S.I.C. for fresh decision in accordance with law**. The parties shall be at liberty to raise their respective pleas, including the contention of respondent No.4 that certain information sought is exempt from disclosure on account of being third-party information or information held in a fiduciary capacity.

7. **Disposed of accordingly.**

March 23, 2026
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No