

***** Vs. State Information Commission, Punjab and Another

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Court : Punjab and Haryana

Decided On : Mar-24-2014

Appellant : *****

Respondent : State Information Commission, Punjab and Another

Judgement :

CWP No.21114 of 2010 -1- ***** IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH CWP No.21114 of 2010.

Date of decision: 24.03.2014 Lakshmi Ladies Club(Regd.) ...Petitioner versus State Information Commission, Punjab and another ...Respondents CORAM: HONBLE MR.JUSTICE GURMEET SINGH SANDHAWALIA ***** Present: Mr.M.L.Sarin, Senior Advocate with Mr.Kanwalvir Singh Kang, Advocate and Ms.Ankita Sambyal, Advocate for the petitioner.

Mr.Amit Chaudhary, Addl.

Advocate General, Punjab for respondent no.1.

**** G.S.SANDHAWALIA, J.

(Oral).1.

Learned senior counsel appearing on behalf of the petitioner submits that the present writ petition is squarely covered by a decision of the Division Bench of this

Court in Letters Patent Appeal No.1174 of 2011 Punjab Cricket Association versus State Information Commission, Punjab and another decided on 12.12.2013 and the same may be disposed of as such.

It is further pointed out that the case was to be heard along with the said Letters Patent Appeal but could not be taken up with the said appeal.

2.

Counsel for the State does not oppose the aforesaid suggestion.

The Division Bench vide said order has remanded the issue to the Appellate Authority i.e.State Information Commission, Punjab which has to decide the matter afresh keeping in view the observations Kumar Pardeep 2014.03.31 11:30 I attest to the accuracy and integrity of this document Punjab and Haryana High Court, Chandigarh CWP No.21114 of 2010 -2- **** of the Hon'ble Apex Court in Thalappalam Ser.

Coop.

Bank LTD.and others versus State of Kerala and others 2013(4) RCR (Civil) 912.

The relevant observations of the Division Bench read as under:- Accordingly, while allowing the appeals, the following directions are issued:- i) The orders passed by the State Information Commission (SIC) and the learned Single Judge in all these appeals are set aside.

The matter is remanded to the SIC to decide the same afresh.

ii) The interim order shall continue till the disposal of the appeals by the SIC.

iii) All the pleas available to the appellants herein shall be allowed to be raised before the SIC.

The SIC shall decide the matter afresh keeping in view the judgment of the Apex Court in Thalappalam Ser.

Coop Bank Limiteds case (supra) within six months from the date of receipt of a certified copy of this order.

iv) Each case shall be decided separately by referring to the facts involved therein.

v) The SIC shall not be influenced by anything which has been observed herein while deciding the matter afresh.

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3.

The present writ petition is also disposed of in the above said terMs.24.03.2014 (G.S.SANDHAWALIA) Pka JUDGE Kumar Pardeep 2014.03.31 11:30 I attest to the accuracy and integrity of this document Punjab and Haryana High Court, Chandigarh

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