

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition (M/S) No. 692 of 2012.

Hema Sah Senior Administrative Officer Information Department
Haldwani, District Nainital.

...Petitioner.

Vs.

1. Chief Information Commissioner, Uttarakhand Information Commission, Sector-1, C-30, Defence Colony, Dehradun.
2. Sri Ram Ratan Ravi, Upadhyaksh, Bhartiya Dalit Sahitya Akadami, 75, Ragini Bhawan, Nalapani Road, Dehradun.

...Respondents.

Mr. B.S.Parihar, Advocate, learned counsel for the petitioner.

Date April 20, 2012.

Hon'ble B.S.Verma, J.

(Stay Application No. 3501 of 2012)

Heard learned counsel for the petitioner.

By means of this writ petition, the petitioner has sought a writ in the nature of certiorari quashing the impugned order dated 15-3-2012 passed by the Chief Information Commissioner, whereby penalty of Rs. 2500/- has been imposed against the petitioner.

According to the petitioner, the petitioner submitted her reply to the respondent no.1 on 14-3-2012 against the show cause notice and stated therein that proper information was forwarded to be supplied to the respondent no.2 by registered post, but the Office Assistant, who had to dispatch the information, could not send the same within the stipulated time as the official concerned was deputed on election duty, therefore, the information could not be dispatched within time. The explanation given by the petitioner prima facie seems to be reasonable, but the same was not accepted by the Chief Information Commissioner.

Issue notice to the respondent no.2.

The respondent may file counter affidavit in four weeks.

List thereafter.

As an interim measure, till the next date of listing, operation of the impugned order dated 15-3-2012 passed on Complaint No. 5960 of 2011, Sri Ram Ratan Ravi Vs. Public Information Officer and others (Annexure-12 to the writ petition) shall remain stayed.

(B.S.Verma,J.)