



CGHC010184262020



2026:CGHC:29895

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPC No. 1866 of 2020**

1 - Inderchand Soni S/o Shri Dwarka Prasad Soni Aged About 50 Years
R/o Jawahar Chowk, Durg, Chhattisgarh., District : Durg, Chhattisgarh

... Petitioner(s)**versus**

1 - Chhattisgarh State Information Commission Through Secretary, 1st
Floor, Indrawati Khand, Shastri Chowk, Raipur Chhattisgarh., District :
Raipur, Chhattisgarh

2 - Anil Sinha Assistant Public Information Officer Secretariat, Deptt. Of
Law And Legislative Affairs, Mantralaya Mahanadi Bhawan, Atal Nagar,
Naya Raipur, Raipur Chhattisgarh., District : Raipur, Chhattisgarh

... Respondent(s)

For Petitioner(s) : Ms. Priyanka Bajpai, Advocate

For Respondent(s) : Mr. Anumeh Shrivastava, Advocate

SB- Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****15.07.2026**

1. The instant writ petition under Article 226 of the Constitution of India has been preferred by the petitioner against the order dated 31/05/2019 (Annexure P/1) passed by respondent No. 1 – Chhattisgarh State Information Commission whereby it has been held that penalty under Section 20(1) of the Right to Information Act, 2005 (hereinafter, “the RTI Act”) cannot be imposed upon respondent No. 2 - Assistant Public Information Officer.
2. Ms. Priyanka Bajpai, learned counsel for the petitioner would submit that the State Assistant Public Information Officer has been included under Section 2(m) read with Section 5(2) of the RTI Act, therefore, penalty ought to have been imposed upon respondent No. 2 for refusing to accept the money order and for not supplying information sought by the petitioner within the stipulated time.
3. Mr. Anumeh Shrivastava, learned counsel for the respondents would submit that the State Information Commission has already recommended for departmental enquiry proceeding against respondent No. 2 – Assistant Public Information Officer and moreover, his case would not fall within Section 20(1) of the RTI Act as the information sought by the petitioner has already been provided by him, therefore, penalty has rightly not been imposed upon respondent No. 2 and thus, this writ petition is liable to be dismissed.

4. I have heard learned counsel for the parties, considered their rival submissions made herein-above and went through the records with utmost circumspection.
5. Admittedly, the information that was sought by the petitioner has already been supplied to him though with some delay and moreover, the State Information Commission has already taken action and recommended for departmental enquiry proceeding against respondent No. 2 and particularly considering that the case of the petitioner would not be covered with Section 20(1) of the RTI Act, I do not find any good ground to entertain this writ petition and impose penalty upon respondent No. 2.
6. Accordingly, this writ petition is hereby dismissed leaving the parties to bear their own cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge

Harneet