

**CWP-6097-2018****1****IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH****(201)****CWP-6097-2018****Date of Decision : July 22, 2025****Central Public Information Officer****.. Petitioner****Versus****Harinder Dhingra and another****.. Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Ms. Navneet Kaur, Advocate, for  
Ms. Swati Dayalan, Advocate, for the petitioner.

None for respondent No.1.

**HARSIMRAN SINGH SETHI J. (ORAL)**

1. Ms. Naveen Kaur, Advocate for Ms. Swati Dayalan, Advocate has put in appearance on behalf of the petitioner and filed her vakalatnama. The same is taken on record.
2. In the present writ petition, the challenge is to the order dated 23.01.2018 (Annexure P-7) passed by the Chief Information Commissioner directing the petitioner to supply the information with regard to the employees working during the construction of the Kaushalya Dam, Panchkula and the disciplinary proceedings undertaken against such employees.
3. Learned counsel for the petitioner argues that vide impugned order dated 23.01.2018 (Annexure P-7), third party information which was being sought, has been directed to be given, which otherwise is not maintainable under the Right to Information Act, 2005 hence, the information of the employees working with the Department during the



construction of the Kaushalya Dam and irregularities committed and the action taken cannot be given especially when no public interest is involved.

4. No one appears on behalf of respondent No.1.

5. I have heard learned counsel for the petitioner and have gone through the record with her able assistance.

6. While issuing notice of motion on 01.05.2018, the operation of the impugned order dated 23.01.2018 (Annexure P-7) was stayed vide order dated 01.05.2018 which interim order continues to operate even as of now.

7. As per the settled principle of law settled by the Hon'ble Supreme Court of India in ***Civil Appeal No.22 of 2009 titled as Canara Bank Rep. By its Deputy General Manager vs. C.S. Shyam and another, decided on 31.08.2017***, the third party information with regard to the colleagues working cannot be given. The relevant paragraph 14 of the said judgment is as under:

*“14) In our considered opinion, the aforementioned principle of law applies to the facts of this case on all force. It is for the reasons that, firstly, the information sought by respondent No.1 of individual employees working in the Bank was personal in nature; secondly, it was exempted from being disclosed under [Section 8\(j\)](#) of the Act and lastly, neither respondent No.1 disclosed any public interest much less larger public interest involved in seeking such information of the individual employee and nor any finding was recorded by the Central Information Commission and the High Court as to the involvement of any larger public interest in supplying such information to respondent No.1.”*

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8. In the present case also, the direction given by the Information Commission is to supply the information with regard to the employees working during the construction of Kaushalya Dam, Panchkula and the disciplinary proceedings initiated against them.

9. Keeping in view the totality of the circumstances, the order dated 23.01.2018 (Annexure P-7) passed by the Information Commission is contrary to the law settled by the Hon'ble Supreme Court of India in **C.S. Shyam's case (supra)** hence, the same cannot be sustained and is accordingly set aside.

The present writ petition is allowed in above terms.

**July 22, 2025***harsha***(HARSIMRAN SINGH SETHI)****JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No