SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			WPMS/2144/2023 Mukesh Kashyap --Petitioner **Versus** Commissioner State Information Commission --Respondent **Hon'ble Manoj Kumar Tiwari, J** 1. Mr. Siddhartha Singh, learned counsel for the petitioner. 2. Mr. Lalit Miglani, learned counsel for respondent nos. 2 & 3. 3. Second appeal, filed by petitioner under Section 19 of the Right to Information Act, 2005, was dismissed only on the ground that the relevant file, regarding which information was sought, is missing from the office of Nagar Nigam and an FIR has been registered regarding the same. 4. Mr. Lalit Miglani, learned counsel appearing for the Nagar Nigam Roorkee was asked to get copy of FIR. Today Mr. Lalit Miglani has produced in Court the written instructions received by him from Assistant Municipal Commissioner, Nagar Nigam, Roorkee, which is taken on record. 5. Based on the written instructions, Mr. Lalit Miglani submits that FIR is yet to be filed while is likely to be registered within a couple of days. Thus, it is apparent that correct facts were not

			placed before State Information Commissioner and second appeal filed by petitioner was dismissed based on incorrect fact that regarding missing file, an FIR is registered, and the State Information Commissioner could not ascertain the truth, while dismissing the appeal. 6. In such view of the matter, the writ petition is allowed. The impugned order dated 09.02.2023 is set-aside. The second appeal shall stand restored to the file of State Information Commissioner, while shall be decided as early as possible, as per law. **(Manoj Kumar Tiwari, J)** 19.08.2026 Aswal NITIRAJ SINGH ASWAL

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