

**GOA STATE INFORMATION COMMISSION
AT PANAJI**

CORAM: Shri M. S. Keny, State Chief Information Commissioner

**Application for condonation of delay
in
Appeal No. 120/SCIC/2010.**

Shri Subhash B. S. Jetha,
R/o. D-5, Junta House,
Mapusa,
Bardez – Goa

..... Appellant.

V/s.

1) Public Information Officer,
Office of Director of Accounts,
Panaji – Goa

..... Respondent No. 1.

2) First Appellate Authority,
Directorate of Accounts,
Panaji - Goa.

..... Respondent No. 2.

Appellant in person.

Respondent No. 1 in person.

Adv. Harsha Naik for Respondent No. 1.

Respondent No. 2 absent.

Adv. Smt. N. Narvekar for Respondent No. 2.

ORDER
(06-10-2010)

1. This Order shall dispose off the Application for condonation of delay as well as Appeal.

2. The Appellant, Subhash B. S. Jetha, has preferred this Appeal praying for a direction to furnish information and other reliefs.

In the said Appeal the Appellant herein has preferred this Application for conditional of delay.

That the Appeal was filed on 06.05.2010 against the Order dated 25.09.2009 of the First Appellate Authority. That on 05.10.2009 the Appellant filed an application for review, however, no communication was received, reminder was sent. That on personal visits also nothing was told and finally on a visit to the office he was informed that he would receive the communication. Thereafter, in February

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the Appellant was sick. That in the second week of April he was orally informed that the Order dated 25.09.2009 is final and no further hearing would be given. That the delay is not intentional nor deliberate and the same was beyond the control and as such ought to be condoned.

3. The Respondent oppose the application and their say is on record.

4. I have heard both sides and perused the records. It is seen that the Respondent No. 2 vide order dated 25.09.2009 disposed off the First Appeal observing "The applicant fully agreed that the information available with the Department and P.I.O. has been fully furnished to the applicant".

In the instant case even if delay is condoned the problem will remain and Appeal will have to be heard. Again the contention of the Appellant will have to be tested on the touchstone of the said order vis a vis with the time factor. To avoid all these and also to avoid further delay the Appellant if aggrieved can seek information afresh. Therefore, without going into the merits of this application as well as Appeal I am disposing the same by giving an opportunity to the Appellant to file the application afresh.

5. In view of all the above, I pass the following Order:

ORDER

The Appellant is at liberty to file an application seeking information afresh. With this the Application for condonation of delay, as well as Appeal are disposed off.

The Appeal is accordingly disposed off.

Pronounced in the Commission on this 06th day of October, 2010.

Sd/-
(M.S. Keny)
State Chief Information Commissioner

