# RED CROSS BUILDING, NEAR ROSE GARDEN, SECTOR 16, CHANDIGARH.

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### APPEAL CASE NO. 268 OF 2019

Smt. Gursimran Kaur, R/o 836, MIG, P.H.B Colony, Jamalpur, Ludhiana.

...Appellant

Versus

**Public Information Officer**,

O/o Director, Health & Family welfare, Punjab, Chandigarh.

**First Appellate Authority** 

O/o Director, Health & Family welfare, Punjab, Chandigarh.

...Respondents

**PRESENT:** None is present on behalf of the Appellant.

Sh. Jagtar Singh, Sr. Assistant O/o Director, Health & Family Welfare,

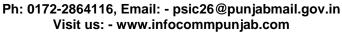
Punjab.

**ORDER:** 

The appellant has sought information as enumerated in his RTI application dated: 16.10.2018. First appeal was filed with the First Appellate Authority on dated: 16.11.2018 and second appeal was filed in the Commission on dated: 07.01.2019.

- 2. Notice of hearing has been issued to the parties for 05.03.2019 to appear before the Commission.
- 3. The appellant has sent an Email in the Commission mentioning therein that no information has been provided to her by the Respondent PIO and request for an adjournment due to some personal reasons.
- 4. Sh. Jagtar Singh, Sr. Assistant appears on behalf of the Respondent PIO O/o Director, Health & Family Welfare, Punjab, Chandigarh and states that the application of the appellant has been received in the Respondent office on 31.10.2018. The information sought by the appellant is related to the O/o Chemical Laboratory, Punjab Food Branch, Sector-11, Chandigarh and O/o Civil Surgeon, Hoshiarpur and the same was transferred to the concerned departments vide letter no. R.T.I.-(1)-PL18/2238-39, dated: 02.11.2018. He further states that a reply has been received from O/o Chemical Examiner, Govt. Of Punjab, Kharar vide letter no. 2226, dated: 21.11.2018; mentioning therein that information sought is related with the Public Analyst Food & Drug then RTI application of the appellant again sent to

# RED CROSS BUILDING, NEAR ROSE GARDEN, SECTOR 16, CHANDIGARH.





#### APPEAL CASE No. 268 OF 2019

the Joint Commissioner, Food & Drug Chemical Lab, Near Civil Hospital, Kharar vide letter no. R.T.I.-(1) p-18/2380, dated: 03.12.2018. He further states that a reply has been received from the Deputy Director –cum- Nodal Officer (Food Safety) O/o Commissionerate Food & Drugs Administration, Punjab vide letter no. Food(2)p/2019/321, dated: 08.02.2019 mentioning therein that information sought by the appellant could not be provided under section 11 (1) of the RTI Act, 205 to the appellant and she can demand information from the PIO of the concerned district.

- 5. In view of the above, the Respondent PIOs (O/o Deputy Director –cum-Nodal Officer (Food Safety) O/o Commissionerate Food & Drugs Administration, Punjab & O/o Civil Surgeon, Hoshiarpur) are directed to file their written replies pertaining with the RTI application of the appellant, on the next date of hearing, failing which action would be initiated against them as per provisions of RTI Act, 2005.
- 6. The Respondent PIO & FAA (O/o Director, Health & Family Welfare, Punjab, Chandigarh) are directed to appear in person and file their written replies that what they did after receiving the First Appeal of the appellant, on the next date of hearing, failing which action would be initiated against them as per provisions of RTI Act, 2005.
- 7. The case is adjourned for **11.04.2019 at 11:00 AM.** Copies of the order be sent to the parties.

Chandigarh 05.03.2019 Sd/(Prof. Viney Kapoor Mehra)
State Information Commissioner

Copy to Intimation & Necessary Action: -

**Ms. Jaspal Kaur,** Director –cum- FAA, O/o Director, Health & Family Welfare, Punjab, Chandigarh.

**Ms. Shashi Bala,** Superintendent –cum- PIO, O/o Director, Health & Family Welfare, Punjab, Chandigarh.

The Deputy Director –cum- Nodal Officer (Food Safety), O/o Commissionerate Food & Drugs Administration, Punjab Near Civil Hospital, Kharar, District S.A.S. Nagar.

The Public Information Officer, O/o Civil Surgeon, Hoshiarpur.

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### APPEAL CASE NO. 285 OF 2019

Advocate Anil Kumar Singh, Office B-1/0002, B-1/0003, Bus Stand, VPO: Rahon,

Tehsil: Nawanshahar Distt. SBS Nagar.

...Appellant

Versus

**Public Information Officer**,

O/o Municipal Council,

Rahon, Distt: Nawanshahar.

First Appellate Authority

O/o Deputy Director, Local Bodies, Jalandhar.

...Respondents

**PRESENT:** Adv Anil Kumar Singh, Appellant.

Sh. Vinod Kumar, Clerk is present on behalf of the Respondent – PIO O/o

Municipal Council, Rahon.

**ORDER:** 

The appellant has sought information as enumerated in his RTI application dated: 20.02.2018. First appeal was filed with the First Appellate Authority on dated: 11.04.2018 and second appeal was filed in the Commission on dated: 07.01.2019.

- 2. Notice of hearing has been issued to the parties for 05.03.2019 to appear before the Commission.
- 3. The appellant states that no information has been provided to him by the Respondent PIO till date.
- 4. Sh. Vinod Kumar, Clerk appears on behalf of the Respondent PIO O/o Municipal Council, Rahon and states that the appellant was asked to deposit the documentation fee of Rs. 1525/- and he has sent the cheque on the name of Public Information Officer, Nagar Council, Rahon but there is no bank account on the above said name. He further states that the above said cheque has been returned to the appellant with the remarks that the cheque be issued again in the name of E.O., M.C. Rahon after that information will be provided to him. Copy of the same is taken on record.
- 5. In view of the above, the appellant is advised to issue the cheque again on the above said correct name and get the information from the Respondent PIO.

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### APPEAL CASE NO. 285 OF 2019

- 6. The Respondent PIO is directed to supply the information after receiving the documentation fee and send the compliance report, before the next date of hearing, failing which action would be initiated against him as per provisions of the RTI Act, 2005.
- 7. The case is adjourned for **11.04.2019 at 11:00 AM.** Copies of the order be sent to the parties.

Chandigarh 05.03.2019

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### APPEAL CASE NO. 1842 OF 2018

Advocate Rakesh Kumar Gupta, # 8/237, Jagraon Road, Mandi Mullanpur, Ludhiana-141101

...Appellant

Versus

#### **Public Information Officer.**

O/o District Food & Supply Controller (West), Zone-D, Municipal Corporation Building, Ludhiana.

## First Appellate Authority,

O/o Director, Food Civil Supplies & Consumer Affairs, Punjab, Chandigarh.

...Respondents

**PRESENT**: Adv Rakesh Kumar Gupta, Appellant.

Sh. Nirpaksh Mattu, Inspector on behalf of the Respondent – PIO.

**ORDER:** 

This order may be read with reference to the previous order dated 22.01.2019.

- 2. The appellant appears and states that he has furnished the deficiencies to the Respondent PIO but complete information has not been provided to him by the Respondent PIO.
- 3. Sh. Nirpaksh Mattu, Inspector appears on behalf of the Respondent PIO O/o o District Food & Supply Controller (West), Zone-D, Municipal Corporation Building, Ludhiana and states that he has not received the deficiencies furnished by the appellant.
- 4. The copy of the deficiencies as pointed out by the appellant is handed over to the Respondent, today in the Commission.
- 5. In view of the above, the Respondent PIO is directed to remove the deficiencies and provide the available information to the appellant, before the next date of hearing, failing which action would be initiated against him as per provisions of the RTI Act, 2005.
- 6. The case is adjourned for **15.05.2019** at **11:00 AM** Copies of the order be sent to the parties.

Sd/-

(Prof. Viney Kapoor Mehra) State Information Commissioner

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#### **APPEAL CASE NO. 1844 OF 2018**

Advocate Rakesh Kumar Gupta, # 8/237, Jagraon Road, Mandi Mullanpur, Ludhiana-141101

...Appellant

Versus

**Public Information Officer.** 

O/o District Food & Supply Controller (West), Zone-D, M.C. Building, Ludhiana.

First Appellate Authority,

O/o Director, Food Civil Supplies & Consumer Affairs, Punjab, Chandigarh.

...Respondents

**PRESENT:** Adv Rakesh Kumar Gupta, Appellant.

Sh. Sunny Chauhan, Jr. Auditor on behalf of the Respondent PIO.

**ORDER:** 

This order may be read with reference to the previous order dated: 22.01.2019.

- 2. The appellant appears and states that incomplete information has been provided to him by the Respondent PIO.
- 3. Sh. Sunny Chauhan, Jr. Auditor appears on behalf of the Respondent PIO O/o District Food & Supply Controller (West), Zone-D, M.C. Building, Ludhiana alongwith the remaining information for the perusal of the Commission and handed over to the appellant consisting of 25 pages.
- 4. In view of the above, the appellant is advised to go through the information and furnished the deficiency, if any, within one week in writing to the Respondent with a copy to the Commission. The Respondent PIO is directed to remove the same, before the next date of hearing, failing which action will be initiated as per the provisions of the RTI Act, 2005.
- 5. The case is adjourned for **15.05.2019 at 11:00 AM** Copies of the order be sent to the parties.

Chandigarh 05.03.2019

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#### **APPEAL CASE NO. 1874 OF 2018**

Sh. Rajesh Gupta, H.No.738, Sector: 41/A, Chandigarh.

...Appellant

Versus

**Public Information Officer**,

O/o Director,

Animal Husbandry, Livestock Complex,

Sector: 68, SAS Nagar.

**First Appellate Authority** 

O/o Director,

Animal Husbandry, Livestock Complex,

Sector: 68, SAS Nagar.

...Respondents

**PRESENT:** None is present on behalf of the Appellant.

Dr. K.P.S Pasricha, Sr. Veterinary Officer on behalf of the PIO.

**ORDER:** 

30.01.2019.

This order may be read with reference to the previous order dated:

- 2. The appellant has sent an Email in the Commission mentioning therein that he has already furnished the deficiencies in the provided information to the Respondent PIO and requests that due to some reasons he is unable to attend today's hearing in the Commission and has sought an adjournment.
- 3. Dr. K.P.S Pasricha, Sr. Veterinary Officer appears on behalf of the Respondent PIO and states that he has provided the remaining information to the appellant during the last hearing. He further states he has not received any deficiencies from the appellant.
- 4. The copy of the deficiencies as pointed out by the appellant is handed over to the Respondent, today in the Commission.
- 5. In view of the above, the Respondent PIO is directed to remove the deficiencies, before the next date of hearing, failing which action would be initiated against him as per provisions of the RTI Act, 2005.
- 6. The case is adjourned for **15.05.2019 at 11.00 AM** Copies of the order be sent to the parties.

Sd/-

(Prof. Viney Kapoor Mehra) State Information Commissioner

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#### APPEAL CASE NO. 2292 OF 2018

Sh. Yogesh Mahajan, S/o Sh. Kuldeep Raj Mahajan, President of Anti Corruption Council, Opposite water Tank, Municipal Market, Mission Road, Pathankot.

...Appellant

Versus

**Public Information Officer,** O/o Civil Surgeon, Amritsar.

**First Appellate Authority** 

O/o Deputy Director, Health & Family Welfare, Punjab, Chandigarh.

...Respondents

**PRESENT:** Adv Sandeep Sharma is present on behalf of Appellant.

Sh. Amarpal Singh, Ms. Bableen Kaur, Drug Inspectors, Amritsar-II & III & Sh. Jagtar Singh, Sr. Asstt. O/o Deputy Director, Health & Family Welfare,

Punjab.

**ORDER:** 

This order may be read with reference to the previous order dated: 23.01.2019.

- 2. Adv Sandeep Sharma appears on behalf of the appellant and states that incomplete information has been supplied to the appellant by the Respondent PIO. He further states that information relating to point no. 1 is not third party information as said by the Respondent PIO in his reply.
- 3. Sh. Amarpal Singh, Drug Inspectors appears on behalf of the Respondent
  PIO O/o Civil Surgeon, Amritsar and files an Affidavit mentioning therein that the requisite information has already been supplied to the appellant.
- 4. In view of the above, the Appellant is directed to justify what public interest is involved in the information asked for, before the next date of hearing. The Respondent PIO is directed to appear in person and bring the original record relating to the RTI application of the appellant, on the next date of hearing, failing which action would be initiated against him as per provisions of the RTI Act, 2005.
- 5. The case is adjourned to **11.04.2019 at 11:00 AM.** Copies of the order be sent to the parties.

Sd/-

(Prof. Viney Kapoor Mehra) State Information Commissioner

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#### APPEAL CASE NO. 2792 OF 2018

Sh. Gurjit Singh, # 603, Street No. 9, Mohalla Roop Nagar, District Hoshiarpur.

...Appellant

Versus

**Public Information Officer**,

O/o Director, Health & Family Welfare Department, Punjab, Chandigarh.

First Appellate Authority,

O/o Director, Health & Family Welfare Department, Punjab, Chandigarh.

...Respondents

**PRESENT**: None is present on behalf of the Appellant.

Sh. Nachhattar Singh, Superintendent –cum- PIO, Sh. Sandeep Kumar, Sh. Jagtar Singh, Sr. Assistants O/o Director, Health & Family Welfare Department, Punjab.

**ORDER**:

This order may be read with reference to the previous order dated 24.01.2019.

- 2. The appellant is absent from today's hearing in the Commission.
- 3. Sh. Nachhattar Singh, Superintendent –cum- PIO appears in person and states that he has supplied the requisite information to the appellant and has also filed an Affidavit in this regard, on the last date of hearing. He further files a reply in response to the Show Cause Notice issued to him vide order dated: 04.12.2018.
- 4. In view of the above, last opportunity is given to the Respondent PIO to compliance the order dated: 04.12.2018 and pay the compensation amount of Rs. 1000/- to the appellant, before the next date of hearing, failing which action u/s 20 of RTI Act, 2005 will be initiated.
- 5. Last opportunity is given to the appellant to follow up his case in the Commission, failing which decision shall be taken on merit.
- 6. The case is adjourned to **11.04.2019** at **11:00 AM.** Copies of the order be sent to the parties.

Sd/-Prof. Vinev Kapoor I

(Prof. Viney Kapoor Mehra)
State Information Commissioner

# RED CROSS BUILDING, NEAR ROSE GARDEN, SECTOR 16, CHANDIGARH.

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#### **APPEAL CASE NO. 2873 OF 2018**

Sh. Karamjit Singh, S/o Sh. Jagir Singh, R/o Village Rurki Kham, Tehsil: Kharar, Distt: Mohali.

...Appellant

Versus

#### **Public Information Officer**,

O/o Block Development and Panchayat Officer, Block Majri, District S.A.S. Nagar.

## First Appellate Authority

O/o District Development and Panchayat Officer, District S.A.S. Nagar (Mohali).

...Respondents

PRESENT: Sh. Karamjit Singh, Appellant.

None is present on behalf of the Respondent – PIO.

ORDER:

This order may be read with reference to the previous order dated 23.01.2019.

- 2. The appellant states that no information has been provided to him by the Respondent PIO till date.
- 3. Neither the PIO nor his representative is present for today's hearing. The PIO has not bothered to inform the Commission about his absence, which shows that he has no regard to the orders of the Commission.
- 4. During the last hearing dated: 23.01.2019, the Show Cause Notice was issued to the PIO O/o Block Development and Panchayat Officer, Block Majri, District S.A.S. Nagar under Section 20 (1) of the RTI Act, 2005 for not providing the information. Today, the Respondent PIO is again absent without any intimation to the Commission, which shows that he has no regard to the orders of the Commission.
- 5. Hence, bailable warrant be issued to the Sh. Bharat Pal, Panchayat Secretary –cum- PIO O/o Gram Panchayat Rurki Kham, Block Majri, District S.A.S. Nagar through Senior Superintendent of Police, S.A.S. Nagar so that he should appear before the Commission to represent his case personally and provide the complete information and file a reply in response to the Show Cause Notice issued to him vide order dated: 23.01.2019, failing which penalty provision will be initiated against him as per provisions of the RTI Act, 2005.

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#### APPEAL CASE NO. 2873 OF 2018

6. The case is adjourned to **11.04.2019** at **11:00 AM.** Copies of the order be sent to the parties.

Chandigarh 05.03.2019

Sd/(Prof. Viney Kapoor Mehra)
State Information Commissioner

### Through Registered Post: -

## Copy to Intimation & Necessary Action: -

Sh. Bharat Pal, Panchayat Secretary –cum- PIO Gram Panchayat Rurki Kham, Block Majri, District S.A.S. Nagar

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## BAILABLE WARRANT OF PRODUCTION

BEFORE
PROF. VINEY KAPOOR MEHRA,
STATE INFORMATION COMMISSIONER, PUNJAB
AT CHANDIGARH

In case: Karamjit Singh Vs. Public Information Officer O/o Block Development and Panchayat Officer, Block Majri, District S.A.S. Nagar.

## APPEAL CASE NO. 2873 of 2018

**UNDER SECTION 18 OF THE RIGHT TO INFORMATION ACT, 2005** 

Next Date of Hearing: 11.04.2019

То

The Senior Superintendent of Police, S.A.S. Nagar.

Whereas Public Information Officer O/o Block Development and Panchayat Officer, Block Majri, District S.A.S. Nagar has failed to appear before the State Information Commissioner despite the issuance of notice/summon in the above mentioned Appeal Case. Therefore, you are hereby directed to serve this bailable warrant to **Sh. Bharat Pal,** Panchayat Secretary –cum- PIO, Gram Panchayat Rurki Kham, Block Majri, District S.A.S. Nagar to appear before undersigned at RED CROSS BUILDING, NEAR ROSE GARDEN, SECTOR – 16, CHANDIGARH on **11.04.2019** at 11:00 AM.

Chandigarh 05.03.2019

## RED CROSS BUILDING, NEAR ROSE GARDEN, SECTOR 16, CHANDIGARH.

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#### **APPEAL CASE NO. 3492 OF 2018**

Sh. Ashok Kumar Joshi, S/o Sh. Hari Krishan Joshi, R/o Near Baba PUra Ji, Mohalla, Sarafa Raho, Distt: SBS Nagar.

...Appellant

Versus

**Public Information Officer**, O/o Deputy Commissioner, SBS Nagar.

**First Appellate Authority** O/o Deputy Commissioner, SBS Nagar.

...Respondents

**PRESENT:** Sh. Ashok Kumar Joshi, Appellant.

None is present on behalf of the Respondents.

## ORDER:

This order may be read with reference to the previous order dated: 23.01.2019.

- 2. The appellant states that he has received the compensation amount of Rs. 1000/- but no Affidavit has been provided by the Respondent PIO.
- 3. Neither the PIO nor his representative is present for today's hearing. The PIO has not bothered to inform the Commission about his absence.
- 4. After examining the case file, it is observed that the Respondent PIO has not file an Affidavit in response to the Show Cause Notice issued to him vide order dated: 29.11.2018.
- 5. In view of the above, last opportunity is given to the Respondent PIO to file an Affidavit in response to the Show Cause Notice issued to him, on the next date of hearing, failing which action under Section 20 of the RTI Act, will be initiated.
- 6. The case is adjourned for **15.05.2019 at 11:00 AM.** Copies of the order be sent to the parties.

Chandigarh 05.03.2019

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#### **APPEAL CASE NO. 3529 OF 2018**

Sh. Angrej Singh, S/o Late Sh. Manjit Singh Pannu, Village Haripur, P.O. & Tehsil Amloh, District Fatehgarh Sahib.

...Appellant

Versus

Public Information Officer, O/o Medical Superintendent, Rajindra Hospital, Patiala.

First Appellate Authority O/o Civil Surgeon, Patiala.

...Respondents

PRESENT: Sh. Angrej Singh & Sh. A S Hundal is present on behalf of the Appellant. Dr. Rajinder Singh, PIO & Sh. Yogesh Malhotra, APIO O/o Rajindra Hospital, Patiala.

**ORDER:** 

This order may be read with reference to the previous order dated 24.01.2019.

- 2. Sh. A S Hundal appears on behalf of the appellant and states that no information has been provided to the appellant by the Respondent PIO.
- 3. Dr. Rajinder Singh, Respondent PIO appears in person and has brought the information for the perusal of the Commission. Copy of the same is handed over to the appellant, during the Commission.
- 4. After examining the case file, it is being observed that the Respondent PIO has provided the complete information to the appellant during the hearing, today in the Commission and the appellant is satisfied with the provided information and acknowledged in writing that he has received the complete information and wants to close the case. Therefore, no further action is required in this Appeal Case, which is hereby **closed and disposed off.** Copies of the order be sent to the parties.

Sd/-

(Prof. Viney Kapoor Mehra) State Information Commissioner

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#### **APPEAL CASE NO. 4056 OF 2018**

Sh. Taranjit Singh, H.No.33, Adarsh Nagar, P.O: Shahpur Kandi, Tehsil Dhar Kalan, Distt:Pathankot.

...Appellant

Versus

**Public Information Officer**,

O/o Punjab Pollution Control Board, # 10, Friends Colony, Opp: Baring Union Christian College, Jalandhar Road, Batala.

**First Appellate Authority** 

o/o Environment Engineer, Punjab Pollution Control Board, Focal Point, Amritsar.

...Respondents

**PRESENT:** Sh. Taranjit Singh, the appellant.

Sh. Rawinder Bhatti, EE is present on behalf of the respondent.

**ORDER:** 

This order may be read with reference to the previous order dated 24.01.2019.

2. The appellant states that till today, no information has been supplied to him by the respondent.

3. The respondent files written reply today in the Commission in response to the show cause notice mentioning therein that the information has been sent to the appellant vide letter dated 12.06.2018. He further states that all the letters of the appellant has already been returned to him vide letter dated 01.02.2018 by ordinary post.

4. The PIO is directed to appear personally on the next date of hearing alongwith the rules of their department, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

The matter to come up for further hearing now on 11.04.2019 at 11.00PM.
 Copies of the order be sent to the parties.

Chandigarh 05.03.2019

## RED CROSS BUILDING, NEAR ROSE GARDEN, SECTOR 16, CHANDIGARH.

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#### **APPEAL CASE NO. 4114 OF 2018**

Smt. Harminderjit Kaur, W/o Sh. Daljeet Singh, H.No.52/A, New Sunder Nagar, Ferozepur Road, Thereke, Distt:Ludhiana.

...Appellant

Versus

Public Information Officer, O/o DPI (EE), Mohali.

First Appellate Authority O/o Secretary, School Education, Punjab.

Public Information Officer, O/o DEO(EE), Ludhiana.

...Respondents

**PRESENT:** Smt. Harminderjit Kaur, the appellant.

Sh. Baljinder Singh, Jr. Assistant is present on behalf of the respondent.

#### **ORDER:**

Chandigarh.

This order may be read with reference to the previous order dated 24.01.2019.

- 2. The appellant states that till today, complete information has not been supplied to him by the respondent.
- 3. The respondent states that the information has been supplied to the appellant on point nos. 1,2 and 3 by the BPEO and information related to point nos. 4 and 5 is third party information, which cannot be supplied.
- 4. The PIO o/o DEO(EE), Ludhiana and PIO o/o DPI (EE), Mohali both are directed to appear personally, on the next date of hearing alongwith the original record relating to the RTI application of the appellant, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.
- The matter to come up for further hearing now on 11.04.2019 at 11.00PM.
   Copies of the order be sent to the parties.

Chandigarh 05.03.2019