

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.13192 of 2015 (O&M)

Date of Decision : 14.8.2015

Baldev Raj Monga

....Petitioner

Versus

The State of Haryana and another

...Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

....

Present: Mr. Sanjiv Gupta, Advocate
for the petitioner.

.....

MAHESH GROVER.J.

CM Nos.10300 and 10301 of 2015 are allowed as
prayed for.

Contentends that the legal notice/representation submitted
by the petitioner has been decided in a cryptic manner without
giving any reasons.

A perusal of the impugned order reveals that the
contention raised by the learned counsel for the petitioner is
absolutely correct. Consequently, without commenting on the
substantive issue raised in the petition, I would deem it
appropriate to accept the writ petition by setting aside the
impugned order to remand it back to the competent authority to
take a decision afresh and pass a speaking order on the legal
notice/representation submitted by the petitioner. This order is

being passed without issuance of notice to the other side, as resorting to this process is likely to delay the proceedings further, particularly when the argument raised by the learned counsel for the petitioner is substantiated from the cursory look at the impugned order for which no justification can be offered. The authority bestowed upon with the power to consider the representation/objections is required to pass a speaking order offering reasons which can withstand the judicial scrutiny and not finding them manifested in the impugned order the same cannot stand.

Consequently, the writ petition is disposed of in the aforesaid terms.

The decision on the representation/objections of the petitioner be taken positively within a period of six weeks from the date of receipt of certified copy of this order.

14.8.2015
dss

(MAHESH GROVER)
JUDGE