

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY**

WRIT APPEAL No.281 of 2016

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JUDGMENT: *(per Hon'ble Sri Justice Sanjay Kumar)*

This appeal arises out of the order dated 30.03.2016 passed by the learned Single Judge in W.P.M.P.No.12889 of 2016 in W.P.No.10223 of 2016. By the said order, the learned Judge dismissed the miscellaneous petition holding that he found no reason to pass an interim order. Aggrieved thereby, the writ petitioner is before us in appeal.

Perusal of the order under appeal reflects that no reasons whatsoever were recorded by the learned single Judge in support of his opinion that the matter did not warrant passing of an interim order. It is a settled and trite position of law that an order must be supported by reasons, so that the party concerned is made aware as to why the order has been passed one way or the other. This principle has gained recognition as one of the principles of natural justice. Notwithstanding time constraints, the Court is bound to record reasons for its decision, be it in favour of the party or against it. When the Court finds no reason to grant an interim order, the reasons therefor, however brief, must be recorded.

On this short ground, the order dated 30.03.2016 passed in W.P.M.P.No.12889 of 2016 in W.P.No.10223 of 2016 is set aside and the miscellaneous petition is restored to file for consideration afresh on merits and in accordance with law. We make it clear that we have not entered into the merits of the matter and all issues are left open.

The writ appeal is accordingly allowed.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

JUSTICE T. SUNIL CHOWDARY

Date:01.06.2016

Note: Furnish C.C. by 06.06.2016.

(B/o)
GJ