

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

**Civil Writ Petition No.9916 of 1998
Date of Decision: December 17, 2016**

Prem Chand

...Petitioner

Versus

State of Punjab & Ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: None for the petitioner.

Mr.Yatinder Sharma, Addl.AG, Punjab.

RAMESHWAR SINGH MALIK, J.(Oral)

Present writ petition is directed against the order dated 12.06.1998 (Annexure P-11) whereby respondent No.3 revoked the authority letter dated 23.05.1997 issued in faovur of the petitioner regarding supply of necessary articles to run a depot-a fair price shop.

Notice of motion was issued and operation of the impugned order passed by respondent No.3 was stayed by a Division Bench of this Court, vide order dated 02.07.1998. Thereafter, writ petition was admitted for regular hearing, vide order dated 07.12.1998 and an interim order was ordered to continue. That is how, this Court is seized of the matter.

Heard learned counsel for the State.

Keeping in view the nature of controversy involved,

coupled with the fact that a time of more than 18 long years has passed, it is deemed appropriate that since the impugned order was passed, without ensuring strict compliance of the principle of natural justice, it would be appropriate to direct respondent No.3 to pass a fresh order, if so required, in accordance with law.

It is so said because bare perusal of the impugned order would make it clear that respondent No.3 did not record sound reasons while passing the impugned order. The impugned order is not a self-contained order and the same cannot be upheld in the present case. Accordingly, impugned order is set aside.

Consequently, matter is remanded to respondent No.3 with a direction to pass a fresh order, if so required, however, after ensuring strict compliance of the principle of natural justice.

Let respondent No.3 do the needful within a period of three months from the date of receipt of certified copy of this order. However, it is made clear that before passing the fresh order, if it is so required, respondent No.3 shall issue a show cause notice to the petitioner and thereafter, he shall be granted an opportunity of being heard before passing an appropriate order, in accordance with law.

Resultantly, with the above-said observations made

and the directions issued, instant writ petition stands allowed,

however, no order as to costs.

December 17, 2016
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(RAMESHWAR SINGH MALIK)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>