

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

CWP No.6945 of 2017

Date of decision: July 12, 2017

Surinder Awasthi

....Petitioner

Versus

Union of India and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Gagan Pradeep Singh Bal, Advocate for
Mr. Dharampal Gill, Advocate
for the petitioner(s).

JASPAL SINGH, J. (ORAL)

By virtue of the instant petition preferred under Articles 226/227 of the Constitution of India, petitioner has sought issuance of writ in the nature of Certiorari for setting aside/quashing the order dated 4th April, 2016 (Annexure P-5) passed by Secretary, Department of General Administration, Government of Punjab.

Notice of motion.

On the asking of Court, Ms. Sudeepti Sharma, Addl. A.G., Punjab, accepts notice on behalf of the respondent-State.

The contention of learned counsel for the petitioner is that though a representation dated 19th January, 2016 (Annexure P-4) was moved narrating all the facts and giving reference to the instructions issued by the other States whereby Information Commissioners are being provided the benefits which are being availed of by the Chief Secretary of the State including pension but by one line order, the representation has been declined which has been conveyed to the petitioners vide letter dated 1st April, 2016 (Annexure P-5).

A glance at the letter (Annexure P-5) transpires that the order passed by the concerned authorities is non-speaking and does not find reference even to the various averments made in the representation dated 19.01.2016 (Annexure P-4) and such the order is not the order in the eyes of law and the same is *set aside*. The Chief Secretary, Punjab is directed to reconsider the representation (Annexure P-4) and pass a speaking order. In this connection, he would be at liberty to have consultation/assistance of the Punjab Department of Finance, Punjab, Chandigarh.

The needful is expected to be done as early as possible but not beyond the period of six months.

Learned counsel for the petitioner is directed to supply requisite number of copies of paper book to learned State counsel during the course of the day to enable her to take up the matter with the concerned authorities for compliance of this order.

Disposed of.

July 12, 2017
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No