

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****WPC No.1798 of 2013**

Sky Automobiles, a Partnership firm, through Anil Kumar Agrawal, S/o Late Shri Rajendra Kumar Agrawal, aged about 46 years, R/o Jalvihar Colony, Police Station Civil Lines, Raipur, Tahsil & District Raipur (CG)

----Petitioner**Versus**

1. State of Chhattisgarh Through the Secretary , Department of Commerce & Industries, Mahanadi Mantralaya, Naya Raipur, Post Office & Police Station Naya Raipur, District Raipur (CG)
2. Special Secretary-Appellate Authority, Department of Commerce & Industries, Mahanadi Mantralaya, Naya Raipur, Post Office & Police Station Naya Raipur, District Raipur (CG)
3. Director, Directorate of Industries, Chhattisgarh, Pandri, Raipur (CG)
4. General Manager, District Trade & Industries Centre, Jagdalpur (Bastar) (CG)

---- Respondents

 For Petitioner : Mr.B.D.Guru, Advocate
 For Respondents : Mr.Anand Dadariya, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****09/07/2018**

1. Lease deed granted by the District Industries Centre on 13.10.2009 was cancelled by respondent No.4 on 2.7.2012, against which, the petitioner preferred first appeal before respondent No.3. Respondent No.3 affirmed the order of respondent No.4. Thereafter, second appeal preferred by the

petitioner before the State Government was also dismissed by the impugned order.

2. Learned counsel for the petitioner would submit that by non-speaking and unreasoned order second appeal preferred by the petitioner has been dismissed by the State Government, which is unsustainable and bad in law.
3. On the other hand, learned Deputy Government Advocate for the respondents/State would support the impugned order.
4. I have heard learned counsel for the parties and considered their rival submissions made hereinabove and also went through the records with utmost circumspection.
5. A careful perusal of the impugned order would show that after setting out the facts of the case the appellate authority has simply observed that activities of the petitioner are not included in sales of vehicles, but no specific finding that the petitioner has violated the terms of lease deed has been recorded. The appellate authority ought to have passed reasoned and speaking order while deciding the appeal, which has not been done.
6. Accordingly, the impugned order passed by the appellate authority is set aside. The matter is remitted to the State Government/appellate authority, who shall consider and dispose of the petitioner's second appeal after hearing the parties and to pass a reasoned and speaking order within three months from the date of receipt of certified copy of this order.

7. The writ petition is allowed to the extent indicated hereinabove. No cost(s).

Sd/-

(Sanjay K.Agrawal)
Judge

B/-