

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.15194 of 2017

O R D E R:

Heard counsel for petitioner and the Government Pleader for Prohibition & Excise appearing for respondents.

2. In this Writ Petition, petitioners have assailed the proceedings in Memo No.21309/EX.II(1)/2014 dt.27.03.2017 of the 1st respondent disposing of petitioner's Revision, to set aside a demand notice issued by the Commissioner of Proh. & Excise vide proceedings dt.29.04.2014 and seeking adjustment of money paid in terms of order under Revision towards future payment.

3. Sri L.Ravichandar, Senior Counsel appearing for counsel for petitioner states that the impugned order does not contain any reasons why the Revision of the petitioner is rejected and the necessity for setting out the events prior to the filing of the Revision therein, and no actual basis for rejecting the Revision is mentioned in the order dt.27.03.2017 passed by the 1st respondent.

4. Counter affidavit is filed by the respondents supporting the order dt.27.03.2017.

5. On a careful perusal of the said order, it does not disclose any reason as to why the petitioner's Revision Petition was liable to be rejected.

6. It is settled law that administrative orders must contain reasons for the decision so that the party, who does not get relief, knows why he does not get the relief and Courts would be entitled to scrutinize the reasons by applying *Wednesbury Principles* (see ***S.N.Mukarjee v. Union of India*¹**).

7. In the present case, since I do not find any reason contained in the impugned order why the petitioner's Revision was rejected, the impugned order is set aside and the matter is remitted back to the 1st respondent to pass a fresh reasoned order within a period of two (02) months from the date of receipt of a copy of this order and communicate the same to the petitioner.

8. The Writ Petition is disposed of as above. No order as to costs.

9. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

M.S.RAMACHANDRA RAO, J

01st May, 2018.
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¹ 1990 AIR 1984 =1990 SCR Supl. (1) 44