

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.44590 OF 2018

ORDER

The petitioners assail the Memo dated 09.11.2018 issued by the Special Chief Secretary to Government, Revenue (Registration.I) Department, Government of Telangana, purporting to dismiss the appeal filed by the petitioners. This order reads as follows:

‘It is informed that the appeal filed by Sri G.Rajasekhar S/o. G. Satyanarayana, R/o. H.No.Block, C-1002, Aparna Towers, Kondapur Harsha Toyota Showroom, Hyderabad and others before the Government have been examined.

2. Government have conducted hearing on 3.11.2018 at 3.30 PM., both parties have attended the hearing. Government heard the case and on merits dismissed the appeal.

3. The Deputy Registrar of Chits/Arbitrator, Red hills at Hyderabad, is therefore requested to take further necessary action in the matter accordingly.’

Trite to state, when a quasi-judicial authority dismisses an appeal affecting the rights of the parties thereto, it is bound to give reasons as to why it has taken a decision one way or the other. Reason is the heartbeat of every conclusion and without the same, it becomes lifeless. (See RAJ KISHORE JHA V/ s. STATE OF BIHAR¹). Tested against such standard, the impugned Memo dated 09.11.2018 is woefully lacking as the Special Chief Secretary has not even offered a single reason as to why the Government found no merits in the case and dismissed the appeal. The order is therefore unsustainable on that ground and is accordingly set aside.

¹ (2003) 11 SCC 519

The writ petition is allowed. The appeal filed by the petitioners is remitted to the appellate authority for consideration afresh and for passing of a reasoned order thereon. As this is the second round of litigation, the appellate authority shall endeavour to dispose of the appeal expeditiously and in any event, not later than two months from the date of receipt of a copy of this order.

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

3rd JANUARY, 2019

Sv

SANJAY KUMAR, J

