

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.12471 of 2015 (O&M)

Date of Decision: 21.01.2019

S.S. Jaggi

... Petitioner

Versus

Punjab Small Industries and Export Corporation and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Namit Kumar, Advocate
for the petitioner.

Mr. Praveen Chander Goyal, Advocate with
Ms. Aarti Goyal, Advocate for respondents.

ARUN MONGA, J. (ORAL)

1. The petitioner while working as Section Officer (Legal) with the respondent/Punjab Small Industries and Export Corporation Limited (in short 'Corporation') was punished vide order dated 18.12.2009 (Annexure P-7) passed by disciplinary authority, whereby he was issued a 'strict warning' to be careful in future. The petitioner filed an appeal against the same before the Appellate Authority which was dismissed vide impugned order dated 19.09.2013 (Annexure P-11).

2. A perusal of the appeal (Annexure P-8) preferred by the petitioner before the Appellate Authority shows that the petitioner took detailed grounds therein. However, impugned order dated 19.09.2013 (Annexure P-11), on the face of it, is cryptic, non-speaking and unreasoned one, inasmuch as, the only reason stated therein is that:-

“After detailed deliberations, the Committee found no merit/ground for relief in the appeal and hence the committee has decided to reject the same.”

3. Learned counsel for the petitioner contends that the impugned order passed by the Appellate Authority deserves to be set aside as the petitioner is entitled to

have the reasons for dismissal of his appeal. He further contends that impugned order passed by Appellate Authority is having adverse consequences on the future promotion prospects of the petitioner.

4. Having perused the impugned order dated 19.09.2013 (Annexure P-11), I am of the view that it is a non-speaking and cryptic order. The same is, therefore, set aside and the matter is remitted back to the Appellate Authority to consider the appeal filed by the petitioner afresh and pass a well reasoned and speaking order in accordance with law, by granting the petitioner an opportunity of being heard.

5. Let needful be done as expeditiously as possible but not later than three months from the date of receipt of a copy of this order.

6. Disposed of accordingly.

21.01.2019

rekha sharma

(ARUN MONGA)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*