

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-16047-2017

Date of decision: - 08.11.2019

Subhash Chand

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Vivek Khatri, Advocate
for the petitioner.

Ms. Safia Gupta, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, petitioner is challenging the order dated 07.07.2017 (Annexure P-13), by which the benefit, which has been granted to him, vide orders dated 15.03.1988, 14.12.1989 and 18.06.2010, have been cancelled and withdrawn.

The contention of learned counsel for the petitioner is that order dated 07.07.2017 (P-13) is a totally cryptic and non-speaking and no reason has been given as to why the objections, which the petitioner had submitted to the show cause notice dated 25.05.2017 were to be rejected. Rather objections were not at all considered or even noticed, what to talk of being dealt with, while passing the impugned order. Counsel for the petitioner argues that the authorities have only recorded that reply is not based on the facts, rather than giving the reasons for

cancelling the orders dated 15.03.1988, 14.12.1989 and 18.06.2010.

Learned counsel for the respondents is unable to rebut the contentions raised on behalf of the petitioner.

Prima facie, this Court is also of the view that order is totally cryptic and non-speaking.

Faced with this situation, learned State counsel states that order dated 07.07.2017 (Annexure P-13) be treated as withdrawn with liberty to pass a fresh order on the controversy after taking into consideration the reply which the petitioner had submitted on 29.06.2017 to the show cause notice.

In view of the statement made by learned counsel for the respondents, order dated 07.07.2017 (Annexure P-13) stands withdrawn with liberty to the respondents to pass a fresh order on the show cause notice dated 25.05.2017, within a period of three months from the date of receipt of certified copy of this order, after objectively considering the reply dated 29.06.2017, filed by the petitioner. Hence, the present writ petition has been rendered infructuous and accordingly the same is being disposed of as such.

(HARSIMRAN SINGH SETHI)
JUDGE

November 08, 2019
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Whether reasoned/speaking?	Yes
Whether reportable?	No