

Sr. No.150

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CWP No.33462 of 2019 (O&M)

Date of Decision: 18.11.2019

Gurmukh Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. J.S.Pannu, Advocate,
for the petitioner.

Mr. Mehardeep Singh, Additional A.G., Punjab.

ARUN MONGA, J.(ORAL)

1. Petitioner herein seeks issuance of a writ in the nature of certiorari to quash the impugned order dated 26.08.2019 (Annexure P-7) passed by respondent No.2 whereby legal notice dated 09.12.2018 has been decided simpliciter by referring to the sequence of events and not considered his grievance.

2. Notice of motion.

3. On advance service of the petition, Mr. Mehardeep Singh, Additional A.G., Punjab appears and accepts notice on behalf of the respondents.

4. Having perused the order dated 26.08.2019 (Annexure P-7) impugned herein which has been passed ostensibly in compliance of the directions issued by this Court to pass a speaking order, I am of the view that the same is as non-speaking as it can be and suffers from the vice of being cryptic. The order

merely collects the file notings and without assigning any reason or reflecting any mind as to why the case of the petitioner is being rejected, it simply states that in view of file notings, the direction of this Court to pass a speaking order has been complied with.

5. In the premise, order dated 26.08.2019 (Annexure P-7) is set aside being non-speaking and, therefore, direction is issued to the competent authority to pass a speaking order giving reasons on merits as to why the petitioner is not entitled to revision of pay scale from his initial date of appointment including the backwages.

6. Let the needful be done within a period of 3 months from the date of receipt of a certified copy of this order.

7. Disposed of in above terms.

18.11.2019

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No