

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
114 (PROCEEDINGS THROUGH V.C.)**

CWP-10825-2020

Date of decision: 29.07.2020

JOGINDER SINGH

...PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

**Present: Mr. S.S.Sahu, Advocate,
for the petitioner.**

AUGUSTINE GEORGE MASIH, J. (ORAL)

Inter alia, it has been contended by the learned counsel for the petitioner that the recommendation order dated 19.08.2019 (Annexure P-6), vide which the representation of the petitioner was forwarded by the Superintendent of Police, Railways, Ambala Cantt.-respondent No. 5 to the Deputy Inspector General of Police, Railways and Commando, Haryana, Panchkula-respondent No. 4, stands rejected vide order dated 04.03.2020 (Annexure P-7), which is totally non-speaking. No reasons whatsoever have been assigned therein except for mentioning that there is no merit in the representation and, therefore, rejected. He contends that when the representation of the petitioner has been duly forwarded by the competent authority by giving reasons therein, the competent authority i.e. Deputy Inspector General of Police, Railways and Commando, Haryana, Panchkula, -respondent No. 4 was required to pass a speaking order.

Notice of motion.

On the asking of the Court, Ms. Mamta Talwar Singhal, DAG,

Haryana, accepts notice on behalf of the respondents.

Having considered the order dated 04.03.2020 (Annexure P-7) passed by the Deputy Inspector General of Police, Railways and Commando, Haryana, Panchkula-respondent No. 4, the said order is totally non-speaking order and, therefore, cannot be justified even if an opportunity is given to respond as the same is a non-speaking one detailing therein the reasons for coming to such a conclusion.

Therefore, without commenting further, the present petition is allowed by setting aside the order dated 04.03.2020 (Annexure P-7) passed by the Deputy Inspector General of Police, Railways and Commando, Haryana, Panchkula-respondent No. 4 with liberty to pass a fresh one within a period of four weeks by passing a speaking order assigning therein the reasons for non-acceptance of the representation of the petitioner.

July 29, 2020

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No