

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

CWP No.5268 of 2021 (O&M)

DATE OF DECISION: 05.03.2021

Gurwinder Singh

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Jai Vir Yadav, Advocate for the petitioner

..

ALKA SARIN, J. (Oral):

Heard through video conferencing.

This is a Civil Writ Petition under Articles 226/227 of the Constitution of India for issuance of a writ of certiorari quashing the order dated 29.10.2019 (Annexure P-6) passed by respondent No.2 - Director, Public Instructions (SC) - whereby the claim of the petitioner for regularisation of his services for the period from 26.11.2013 to 08.06.2015 has been rejected.

Mr. Jai Vir Yadav, learned counsel for the petitioner contends that a perusal of the order dated 29.10.2019 (Annexure P-6) would reveal that the same is a totally non-speaking order, whereas, the case of the petitioner is squarely covered under Rule 7.5 of the Punjab Civil Services Rules, Volume-1, Part-I, Chapter VII.

Notice of motion.

On the asking of the Court, Ms. Ambika Bedi, AAG, Punjab has joined the session through video conferencing and accepts notice on behalf of the respondents.

Learned State counsel is not in a position to deny that the order dated 29.10.2019 (Annexure P-6) is a non-speaking order, as no reasons whatsoever are forthcoming while rejecting the claim of the petitioner.

Heard learned counsel for the parties.

In view of the fact that the order dated 29.10.2019 (Annexure P-6) is non-speaking and does not assign any reason for rejecting the claim made by the petitioner, without commenting on the merits of the case, the present writ petition is disposed off with a direction to the Director, Public Instructions (SC), respondent No.2 herein, to pass a fresh speaking order giving reasons, in accordance with law, within a period of one month from the date of receipt of certified copy of this order.

Disposed off accordingly.

(ALKA SARIN)
JUDGE

05.03.2021
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NOTE:

Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO