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

**CWP No. 16608-2022**
**Date of Decision: 31.08.2022**

**Anil Kumar**

**.....Petitioner**

**Vs.**

**State of Haryana and another**

**.....Respondents**

**CORAM: HON'BLE MR. ANUPINDER SINGH GREWAL**

Present: Mr. Vinod Dahiya, Advocate,
for the petitioner.

Mr. Narinder Singh Behgal, A.A.G., Haryana.

Mr. B.R. Mahajan, Senior Advocate, with
Ms. Nitika Goel, Advocate,
for respondent no. 2.

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**ANUPINDER SINGH GREWAL, J. (Oral)**

Learned counsel for the petitioner submits that the impugned order dated 21.01.2022, whereby the appeal of the petitioner has been dismissed, is non-speaking and no reasons have been assigned.

A perusal of the impugned order indicates that it is totally non-speaking and cryptic.

The operative part of the order passed by the respondents on 21.01.2022 dismissing the appeal of the petitioner is reproduced hereunder:-

> *"The appellant was heard by the BOD. The agenda item was considered by the Board. After going through the charges/allegations, reply to the charge sheet, enquiry report as well as objections filed by the appellant and facts on record. It was observed by the Board that Sh. Anil Kumar, JE found to have derelicted*

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*in performance of his duties. Therefore, the Board decide to dismiss the appeal being devoid of merits. You are informed accordingly."*

The Chief Administrative Haryana State Agricultural Marketing Board, was present in court on 23.08.2022 in pursuance to the previous order. He had submitted that the appeal preferred by the petitioner would be decided afresh by passing a speaking order.

Learned counsel for respondent no. 2 submits that the Board of Directors is considering the appeal of the petitioner and it would be decided by a speaking order.

Consequently, the petition is allowed. The impugned order dated 21.01.2022 is set aside. The appellate authority is directed to decide the appeal of the petitioner by passing a speaking order after affording him an opportunity of hearing within a period of one month.

**August 31, 2022** **(ANUPINDER SINGH GREWAL)**
nitin **JUDGE**

Whether speaking/reasoned Yes/No
Whether Reportable Yes/No

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