

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

2023:PHHC:043387

CWP-17996-2022

Date of decision: 22nd March, 2023

Gurvinder Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Ms. Anjali Sheoran, Advocate for
Mr. Harish Mehla, Advocate for the petitioner.
Mr. Sumit Gupta, Addl. A.G. Haryana.

AVNEESH JHINGAN, J (Oral):

1. This writ petition is filed seeking quashing of order dated 2nd August, 2022 whereby the Insecticide licence of the petitioner was suspended for fifteen days.

2. The petitioner was holding Insecticide Licence 566/AMBP under the Insecticide Act, 1968 (for short 'the Act'). A notice dated 25th July, 2022 was served on the petitioner to show cause to the alleged violation of the provisions of the Insecticide rules. Two days time was granted to file the reply. Petitioner sought extension of time and filed reply dated 1st August, 2022.

3. The grievance is that without considering the reply, the impugned order has been passed.

4. Learned counsel for the petitioner submits that though the suspension period is over but the impugned order shall have an adverse affect on the revival/renewal of the licence as a red entry would be incorporated.

5. Learned counsel for the respondent relies upon the pleadings of the reply to defend the impugned order.

6. From the cursory look at the impugned order, it is evident that it is bereft of reasons. The reply filed by the petitioner was brushed aside by stating that it was found unsatisfactory. The impugned order had effect of stopping the business of the petitioner albeit temporarily, in such cases compliance of principles of natural justice is must. The reasons supporting the conclusion should not only be recorded but also communicated to the affected party.

7. Consequently, the impugned order is set aside. The matter is disposed of by remitting the matter back to respondent No. 3 to decide the issue afresh after providing opportunity to the petitioner.

8. Since the main petition is disposed of, pending application, if any is rendered infructuous.

[AVNEESH JHINGAN]
JUDGE

22nd March, 2023
Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No