

**2024:PHHC:015578**  
**IN THE HIGH COURT OF PUNJAB & HARYANA**  
**AT CHANDIGARH**

Sr. No.223

**CWP-1551-2017**

**Date of decision : 05.02.2024**

Balwant Kumar

..... Petitioner

VERSUS

State of Punjab and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY**

Present: Mr. Vijay Pal, Advocate, for the petitioner.

Mr. D.K. Singal, Addl. AG, Punjab.

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**AMAN CHAUDHARY, J. (Oral)**

1. The prayer in the present Civil Writ Petition under Articles 226/227 of the Constitution of India, is for the issuance of a writ in the nature of certiorari to quash the enquiry report dated 13.02.2013, Annexure P-3, orders dated 21.12.2015, Annexure P-7 and 18.04.2016, Annexure P-9.

2. Learned counsel for the petitioner submits that impugned order 18.04.2016, Annexure P-9, passed by the appellate authority does not assign any reason, despite the fact of specific grounds having been taken in the appeal, assailing the order of the disciplinary authority. Reliance has been placed on **Chairman, Disciplinary Authority, Rani Lakshmi Bai KGB vs. Jagdish Sharan Varshney**, 2009 (4) SCC 240.

3. Learned State counsel being unable to controvert the above, submits that liberty be granted to the appellate authority to pass a fresh order.

4. The order dated 18.04.2016 being cryptic, is hereby set aside, leaving it to the appellate authority to pass an order afresh, dealing with the pleas raised in the appeal, within a period of eight weeks, in accordance with law.

5. Disposed of accordingly.

(AMAN CHAUDHARY)  
JUDGE

05.02.2024  
Ramandeep Singh

Whether speaking / reasoned Yes/No

Whether Reportable Yes/No