



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

114

CWP-24903-2024 (O&M)
Date of decision: 30.09.2024

Sikander Singh

....Petitioner

Versus

State of Haryana and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Sita Ram Barvaria, Advocate for the petitioner

Ms. Vibha Tewari, AAG Haryana

AMAN CHAUDHARY, J. (ORAL)

1. The prayer made in the present petition is for challenging the orders dated 24.12.2020 and 08.04.2024, Annexures P-21 and P-25, which contained no reasons and as such the learned State counsel is unable to support the same and on instructions from Bhagwan Singh, Superintendent, O/o Director General Animal Husbandary Dairying, Haryana states that in case, petitioner files a detailed representation, the same shall be decided afresh by competent authority by passing a speaking order after giving him an opportunity of hearing.

2. In **M/s Kranti Associates Pvt. Ltd. And Another vs. Sh. Masood Ahmed Khan and Others**, Hon'ble the Supreme Court observed that when passing an order, there is a legal obligation on the authorities to give reasons, which are the essence and virtually a part of the due process. The face of an order passed by a quasi-judicial authority or even an administrative authority affecting



the rights of parties, must not be like the 'inscrutable face of a Sphinx', rather must speak. The principles as enumerated therein, that are relevant to the present case, read thus:

- “a. In India the judicial trend has always been to record reasons, even in administrative decisions, if such decisions affect anyone prejudicially.
- b. A quasi-judicial authority must record reasons in support of its conclusions.
- c. Insistence on recording of reasons is meant to serve the wider principle of justice that justice must not only be done it must also appear to be done as well.
- d. Recording of reasons also operates as a valid restraint on any possible arbitrary exercise of judicial and quasi-judicial or even administrative power.
- e. xx xx xx
- f. Reasons have virtually become as indispensable a component of a decision making process as observing principles of natural justice by judicial, quasi-judicial and even by administrative bodies.
- xx xx xx
- l. Reasons in support of decisions must be cogent, clear and succinct. A pretence of reasons or ‘rubber-stamp reasons’ is not to be equated with a valid decision making process.
- m to o xx xx xx”

3. It had been held in **National Highways Authority of India and others vs. Madhukar Kumar and others**, that the administrative authorities exercising judicial or quasi-judicial functions must record reasons for their decisions, as these help prevent arbitrariness and ensure fairness in decision-making processes.

4. In view of the above and without commenting on the merits of the case, this petition is hereby disposed of with a direction to the respondents that in case petitioner submits a representation within a period of 4 weeks, the same shall be considered and decided, within a further period of 2 months thereafter, which this Court has no reason to believe the authorities would not address in a just, fair



and reasonable manner. Upon doing so, after notice and hearing offered to him and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to his interest, the same shall contain reasons and the petitioner shall be free to seek legal redress thereupon.

(AMAN CHAUDHARY)
JUDGE

30.09.2024
M.Kamra

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No