



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 3184 OF 2025

**(Shantabai Baban Solanke Vs. The Minister, Rural Development and Panchayatiraj
Department & Ors.)**

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. S.M. Vaishnav, Counsel for the petitioner.
Mr. A.V. Palshikar, A.G.P for respondent nos. 1 and 2/State.
Mr. U.J. Deshpande, Counsel for respondent no.3.
Mr. Paresh Thakur, Counsel for respondent no.4.
Mr. R.D. Karode, Counsel for respondent nos. 5 to 10.

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CORAM : ANIL L. PANSARE, J.
JUNE 26, 2025

While issuing notice on 23/6/2025, the petitioner's argument that respondent no.1 has not assigned any reason, much less valid reason, while dismissing the appeal, was taken cognizance of.

2] Having heard both sides and having gone through the impugned order, I am of the view that the argument, so made, requires acceptance.

3] Respondent no.1 has noted the facts of the case, submissions of the parties and contents of the impugned order before it passed by respondent no.2, and thereafter rendered a finding that considering all these aspects, respondent no.1 is not in agreement with the grounds raised by the petitioner – appellant, and accordingly, dismissed the appeal.

3] This is yet another case, where respondent no.1 has failed to assign reasons, while disposing of the appeal.

4] The Supreme Court in the case of *Assistant Commissioner, Commercial Tax Department, Works Contract and Leasing, Kota V/s Shukla and Brothers*, [(2010) 4 SCC 785], while highlighting importance of reasoned order/judgment, held as under :

“27. By practice adopted in all courts and by virtue of judge-made law, the concept of reasoned judgment has become an indispensable part of basic rule of law and, in fact, is a mandatory requirement of the procedural law. Clarity of thoughts leads to clarity of vision and proper reasoning is the foundation of a just and fair decision. In Alexander Machinery (Dudley) Ltd. there are apt observations in this regard to say “failure to give reasons amounts to denial of justice”. Reasons are the real live links to the administration of justice. With respect we will contribute to this view. There is a rationale, logic and purpose behind a reasoned judgment. A reasoned judgment is primarily written to clarify own thoughts; communicate the reasons for the decision to the concerned and to provide and ensure that such reasons can be appropriately considered by the appellate/higher court. Absence of reasons thus would lead to frustrate the very object stated hereinabove.”

Thus, the Supreme Court, in so many words, has explained the importance of reasoned order/judgment. The Supreme Court proceeds to observe that failure to give reasons amounts to denial of justice and assigning reasons is a basic rule and is a mandatory requirement of procedural law.

5] In the present case, respondent no.1, having not assigned any reason, the order is unsustainable.

6] The petition is accordingly partly allowed. Order dated 16/6/2025 passed by respondent no.1 in

V.P.M.-2023/Pra.Kra.192/PR.-6, is quashed and set aside. The enquiry is remanded back to respondent no.1 to decide it afresh in accordance with law and what has been stated in the body of the order.

7] The parties shall appear before respondent no.1 on 3/7/2025.

8] Interim relief shall continue till 3/7/2025. Thereafter, the request, if made, shall be considered by respondent no.1 on its own merits.

9] The petition is disposed of in above terms. No costs.

(ANIL L. PANSARE, J.)

Sumit