

2025:PHHC:172331



230.

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

CWP-4701-2024

Date of decision: 10.12.2025

Rakeshwar Singh

.... Petitioner

Versus

State of Punjab and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. R.K. Malik, Senior Advocate, with
Mr. Sandeep Dhull, Advocate, for the petitioner.
Mr. Surya Kumar, AAG, Punjab.

NAMIT KUMAR, J. (ORAL)

1. Prayer in the instant petition filed under Article 226 of the Constitution of India is for issuance of a writ in the nature of certiorari for quashing the orders dated 17.11.2021, 12.09.2023 (Annexures P-10 and P-12 respectively), vide which, the representation of the petitioner for grant him the benefit of seniority and appointment from the date candidates lower in merit of the petitioner were appointed as Senior Assistant, has been rejected. Further, a writ in the nature of mandamus be issued to grant him seniority and appointment from the date candidates lower in merits were appointed, and he be granted all consequential benefits.

2. While issuing notice of motion on 29.02.2024, the following contention was recorded:-

“Learned Senior counsel *inter alia* contends that though petitioner was selected in 2001 but on account of there being a

ban he was not appointed in the year 2018, only after taking the opinion of the Legal Remembrancer, however, he has not been granted seniority from the date, the candidates lower in merit were appointed in the year 2001 in the same selection process. His claim has been rejected by passing a non speaking order dated 12.09.2023 (Annexure P12).”

3. Learned senior counsel appearing on behalf of the petitioner has reiterated the said contention and has submitted that while rejecting the claim of the petitioner vide impugned orders dated 17.11.2021, 12.09.2023, no reasons have been assigned and the same are totally cryptic and non-speaking orders.
4. It is a trite law that all administrative orders should assign reasons, however, in the impugned orders, no reasons have been assigned while rejecting the claim of the petitioner. Consequently, the impugned orders dated 17.11.2021, 12.09.2023 (Annexures P-10 and P-12 respectively) are set aside and liberty is granted to the respondents to pass fresh orders, after granting an opportunity of personal hearing to the petitioner, within a period of three months.
5. Present petition stands disposed of accordingly.

(NAMIT KUMAR)
JUDGE

December 10, 2025
sanjeev

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