



CWP-7758-2024

-1-

202

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

CWP-7758-2024

Date of Decision: 25.08.2025

Amandeep

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Chirag Girdhar, Advocate,
for the petitioner.

Mr. Nitin Kaushal, Addl. AG, Haryana.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ, order or direction especially in the nature of *Certiorari* for quashing the impugned order dated 18.10.2023 (Annexure P-5) passed by respondent No.4-District Food Supply and Consumer Affairs Controller vide which the supply of ration to ration depot of the petitioner has been suspended and also for quashing the impugned order dated 25.01.2024 (Annexure P-7) passed by respondent No.5-The Collector, Yamuna Nagar, vide which the appeal filed by the petitioner has been dismissed.

2. Learned counsel for the petitioner has submitted that the petitioner was holding a depot licence and as per the allegations some flying squad had visited his depot and he was not present on the spot at that time and some discrepancies were found. However, later on a show cause notice was issued to him and he filed his reply to the same and thereafter his licence was suspended vide order dated 18.10.2023 passed by the District Food Supply and

**CWP-7758-2024****-2-**

Consumer Affairs Controller, Yamuna Nagar (Annexure P-5). He further submitted that a perusal of the aforesaid would show that the order itself is a non-speaking order because none of the grounds taken in the reply to the show-cause notice has been discussed in the aforesaid order. He also submitted that the order of suspension was for indefinite period of time which is also not permissible in law and even otherwise also as per the guidelines issued by the State itself the order has to be a speaking order which on the face of it is not a speaking order.

3. Learned counsel for the petitioner further submitted that thereafter the petitioner filed an appeal before the learned Appellate Authority i.e. the Deputy Commissioner, Yamuna Nagar and vide impugned order dated 25.01.2024 (Annexure P-7), the appeal was dismissed by way of non-speaking and cryptic order without considering any of the grounds taken in the appeal, therefore, the appellate order is also liable to be set aside.

4. Mr. Nitin Kaushal, learned Additional Advocate General, Haryana has submitted that the suspension was undertaken after giving a show cause notice to the petitioner and after seeking his reply and it was found that there were shortfalls in the total stock and that was the reason as to why his licence was suspended.

5. Learned Additional Advocate General, Haryana could not deny the fact that the aforesaid orders which have been passed by the Licensing Authority and that of the Appellate Authority were not backed by cogent reasons.

6. In view of the aforesaid facts and circumstances, the present petition is partly allowed. The impugned order dated 25.01.2024 passed by the learned Appellate Authority vide Annexure P-7 is hereby set aside since the

**CWP-7758-2024****-3-**

same is *ex facie* non-speaking and not backed by any reasons. The matter is remitted back to the Appellate Authority, who will pass a fresh order by fresh application of mind which will be a speaking order backed by cogent reasons.

7. Needless to say that while passing the fresh order, the Appellate Authority shall not be influenced by the earlier order passed by it or the present order passed by this Court. A well-reasoned order shall be passed within a period of three months from today after giving due opportunities of hearing to the petitioner or his counsel.

25.08.2025*Bhumika***(JASGURPREET SINGH PURI)
JUDGE**

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