

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

107+229

2025:PHHC:147971-DB



CWP No. 14056 of 2025 (O&M)
Date of decision:29th October 2025

Vinay Sharma and others

..Petitioners

Versus

Union of India and others

..Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. A.K. Behera, Senior Advocate with
Mr. D.S. Gandhi, Advocate and
Mr. Anand Kaushal, Advocate for petitioners.

Mr. Barjesh Mittal, Advocate for applicants
(CM-13222-CWP of 2025).

Mr. J.S. Attri, Senior counsel with
Mr. Pardeep Mathur, Advocate, Mr. Ashish Sharma and
Ms. Anita Sharma, Advocates for respondents No. 3 to 9.

HARSIMRAN SINGH SETHI, J(Oral)

1. Learned Senior Counsel appearing on behalf of the petitioners argues that though the Central Administrative Tribunal, Chandigarh, Bench (hereinafter referred to as ‘the Tribunal’) in the impugned order dated 27.02.2025 (Annexure P-10) has noticed all the contentions raised from paragraph-37 onwards in support of the prayer made before the Tribunal but the said contention have not been dealt with while recording its view, which has only been recorded in Paragraph-46 of the judgment. Learned Senior Counsel for the petitioner further submits that it becomes the duty of the Court to deal with all the contentions raised in support of the prayer either to accept the same or to reject the same with due reasons, whereas in the impugned judgment, the Tribunal failed to decide all the contentions raised

on behalf of petitioners.

2. Learned Senior Counsel for the petitioner further submits that such a discrepancy in the order is sufficient ground to set aside the same and remand the case back to the Tribunal to decide all the contentions raised as recorded in the impugned order.

3. Learned Senior counsel appearing on behalf of the respondents has not been able to dispute the said argument that the contentions raised on behalf of the petitioners herein have been recorded in the impugned judgment dated 27.02.2025 (Annexure P-10) but not dealt with to decide the same.

4. As per the settled principle of law, once certain contentions/arguments have been raised in support of the prayer, it becomes the duty of the Court to deal with the same while adjudicating the issue between the parties. The Tribunal has only recorded its view in Paragraph-46, whereas it is clear that the contentions noticed in the impugned judgment starting from Paragraph-37 onwards, attributed to the petitioners-applicants have not been dealt with. That being so, the order passed by the Tribunal cannot be upheld as the same has not dealt with all the issues raised by the petitioners before the Tribunal in support of their claim.

5. The Hon'ble Supreme Court of India in the case of 'The Agricultural Produce Marketing Committee, Bangalore Versus State of Karnataka and others, Civil Appeal Nos.1345-1346 of 2022, decided on 22.03.2022, observed that the Courts have to adjudicate on all the issues raised in a case by giving clear findings on those issues and the Courts should avoid a shortcut approach in delivering judgments. The relevant paragraph of the judgment is as follows:

'8.4 Therefore, the courts should adjudicate on all the issues and give its findings on all the issues and not to pronounce the judgment only on one of the issues. As such it is the duty cast upon the courts to adjudicate on all the issues and pronounce the judgment on all the issues rather than adopting a shortcut approach and pronouncing the judgment on only one issue. By such a practice, it would increase the burden on the appellate court and in many cases if the decision on the issue decided is found to be erroneous and on other issues there is no adjudication and no findings recorded by the court, the appellate court will have no option but to remand the matter for its fresh decision. Therefore, to avoid such an eventuality, the courts have to adjudicate on all the issues raise in a case and render findings and the judgment on all the issues involved.'

6. Hence in light of the settled principles of law, the judgment of the Tribunal is set aside and the case is remanded to the Tribunal to decide all the issues noticed by the Tribunal in the impugned judgment starting from Paragraph-37 onwards by giving due reasons for accepting and rejecting the same.

7. Parties are directed to appear before the Tribunal on 26.11.2025. It is made clear that this Court is not making any observations on any findings recorded by the Tribunal on merits as the same will be within the jurisdiction of the Tribunal to decide on the basis of the facts and law brought to the notice of the Tribunal.

8. C.M. No.13222-CWP of 2025 for impleadment is dismissed as not pressed in view of the fact that the main petition has already been decided.

9. Pending application(s), if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

29th October 2025

(VIKAS SURI)
JUDGE

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Whether speaking/reasoned : Yes
Whether reportable : No