



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

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CWP-16303-2022 (O&M)

Date of decision: 25.03.2025

Rajwinder Kaur

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Akhilesh Vyas, Advocate for the petitioner

Mr. Manipal Singh Atwal, DAG Punjab

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made in the present petition is for quashing the impugned order dated 18.01.2021, by which the appeal filed against the order of termination dated 29.03.2019 has been rejected.

2. Learned counsel for the petitioner refers to Annexures P-15 to P-17 that are communications from the University of Kashmir verifying the B.Ed marks certificate/degree awarded to the petitioner, which have been categorically referred in para 18 of the appeal, Annexure P-20, the same has been rejected without taking note of the aforesaid facts and also by passing a non-speaking order.

3. A perfunctory, mono-linear disposition, bereft of proper contemplation of facts and circumstances of a case, stands in brazen contravention of principles of natural justice, as eloquently expounded by Hon'ble the Supreme Court in **M/s Kranti Associates Pvt. Ltd. And Another vs. Masood Ahmed Khan and Others**, 2010(9) SCC 496, wherein it was observed that the face of an



order passed by a quasi-judicial or administrative authority affecting the rights of parties, must speak and must not be like the inscrutable face of a Sphinx. The authorities are under a legal obligation to give reasons while passing an order, which are the essence and virtually a part of the due process.

4. Administrative authorities are mandated to articulate the rationale behind their decisions, ensuring transparency and fairness in the decision-making process, which not only assists the Court in scrutinising the case effectively but prevents a revolving door of appeals to the same institution.

5. As a fall out of the above, the order dated 18.08.2021, Annexure P-21 is set aside and the Appellate Authority is directed to consider the matter afresh, in accordance with law, taking note of the grounds taken in appeal filed by the petitioner and pass a reasoned order, within a period of 4 months, after affording an opportunity of hearing to him.

6. Disposed of accordingly.

(AMAN CHAUDHARY)
JUDGE

25.03.2025

M.Kamra

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No