



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

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CWP-18892-2018 (O&M)

Date of decision: 21.01.2025

Angrej Singh

....Petitioner

Versus

Punjab Agriculture University and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Arun Kumar Vasudeva, Advocate for the petitioner

Mr. M.L. Saggar, Sr. Advocate with
Ms. Armaan Saggar, Advocate for the respondents

AMAN CHAUDHARY, J. (ORAL)

1. The prayer made in the present petition is for quashing the impugned orders dated 06.05.2015 and 21.12.2015, vide which the services of the petitioner have been terminated.

2. The petitioner, a 60% disabled, joined as Steno Typist w.e.f. 17.02.1993 but on account of absence from duty, his services were terminated vide order dated 06.05.2015 with retrospective effect from 10.01.2014, which could not have been done, against which an appeal could have been filed before the Vice Chancellor, which though termed as a representation dated 05.11.2015, Annexure P-6 was submitted. As is apparent from the impugned order dated 21.12.2015, Annexure P-7, no reasons have been assigned nor the aspects as stated in the representation dealt with regard to his son standing on the verge of leaving school. He had rendered 20 years of service and registration of FIR etc. were neither made part of the enquiry or the impugned order of termination.



3. This Court in **Ashok Kumar vs. State of Haryana and Others**¹ had observed that a single line non-speaking order rejecting the claim of the petitioner for ex-gratia appointment, passed without considering the facts and circumstances of the case, was violative of the principles of Natural Justice.

4. Hon'ble the Supreme Court in **M/s Kranti Associates Pvt. Ltd. And Another vs. Sh. Masood Ahmed Khan and Others**,² wherein it was held that the face of an order passed by a quasi-judicial authority or even an 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. The principles, as relevant to the present case, laid down therein read thus:

“a. In India the judicial trend has always been to record reasons, even in administrative decisions, if such decisions affect anyone prejudicially.

b. A quasi-judicial authority must record reasons in support of its conclusions.

c. Insistence on recording of reasons is meant to serve the wider principle of justice that justice must not only be done it must also appear to be done as well.

d. Recording of reasons also operates as a valid restraint on any possible arbitrary exercise of judicial and quasi-judicial or even administrative power.

e. XX XX XX

f. Reasons have virtually become as indispensable a component of a decision making process as observing principles of natural justice by judicial, quasi-judicial and even by administrative bodies.

XX XX XX

l. Reasons in support of decisions must be cogent, clear and succinct. A pretence of reasons or 'rubber-stamp reasons' is not to be equated with a valid decision making process.

XX XX XX”

5. Administrative authorities must record reasons for their decisions, to

¹ 2002 SCC OnLine P&H 1450

² 2010(9) SCC 496



help to curb arbitrariness and ensure fairness in decision-making processes, which not only assists the Court in scrutinising the case effectively but prevents a revolving door of appeals to the same institution

6. As a fall out of the above, it would be in the interest of justice to direct the respondents to consider the matter afresh, in accordance with law, taking note of the representation/appeal filed by the petitioner and pass a reasoned order within a period of four months, after affording an opportunity of hearing to the petitioner.

7. Disposed of accordingly.

(AMAN CHAUDHARY)
JUDGE

21.01.2025
M.Kamra

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