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

**CWP-21230-2025
Date of Decision: 11.09.2025**

Ramesh Kumar

..... Petitioner

Versus

Commissioner, Patiala Division, Patiala and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Naresh Chander, Advocate,
for the petitioner.

Mr. Amit Kumar Goyal, Addl. AG, Punjab.

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 in the nature of *Certiorari* for quashing the impugned order dated 15.01.2025 (Annexure P-4) passed by respondent No.1 and also the order dated 05.03.2024 (Annexure P-2) passed by respondent No.2.

2. Learned counsel for the petitioner has submitted that the impugned order dated 15.01.2025 (Annexure P-4) passed by the Divisional Commissioner, Patiala is absolutely a non-speaking order and does not deal with the contentions raised by the petitioner especially with regard to ground of limitation raised by the petitioner, who was the appellant in the appeal and therefore, the impugned order is liable to be set aside.

3. Mr. Amit Kumar Goyal, learned Additional Advocate General, Punjab, while referring to the short affidavit filed by the Divisional Commissioner, Patiala Division, has submitted that the aforesaid mistake has been so admitted by the Divisional Commissioner, who has filed the affidavit



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and it has been so stated by him that the impugned order was passed by the predecessor. He further submitted that the State has got no objection in case the aforesaid order passed by the Divisional Commissioner, Patiala is set aside and the matter is remitted back to him for passing a fresh order in accordance with law.

4. After hearing the learned counsel for the parties and perusing the affidavit filed by the Divisional Commissioner, Patiala, this Court deems it fit and proper to partly allow the present petition since the order passed by the Divisional Commissioner, Patiala is *ex facie* non-speaking especially with regard to ground of limitation taken by the petitioner in the Grounds of Appeal.

5. Consequently, the present petition is partly allowed. The impugned order dated 15.01.2025 passed by the Divisional Commissioner, Patiala vide Annexure P-4 is hereby set aside and the matter is remitted back to the Divisional Commissioner, Patiala for passing a fresh order strictly in accordance with law and with due application of mind after hearing the petitioner or his counsel and also uninfluenced by the earlier order passed by the Divisional Commissioner, Patiala or the present order passed by this Court. The fresh order shall be passed within a period of three months from today.

11.09.2025
Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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