



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

219

CM-5291-LPA-2023 in/&  
LPA-2115-2023 (O&M)  
Date of Decision: 05.03.2026

ANIL KUMAR

...Appellant

Versus

STATE OF HARYANA AND ORS

...Respondents

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

Present:- Mr. Sumit Sangwan, Advocate, for the appellant.

Mr. Aman Mittal, DAG, Haryana.

Mr. Deepak Aggarwal, Advocate, for respondent No.4.

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HARSIMRAN SINGH SETHI, J. (ORAL)

CM-5290-LPA-2023

The prayer in the present application is for condonation of  
delay of 223 days in re-filing the appeal

Keeping in view the averments enumerated in the application,  
which are duly supported by an affidavit, the same is allowed. Consequently,  
the delay of 223 days in re-filing the appeal is condoned.

CM-5291-LPA-2023

The prayer in the present application is for condonation of  
delay of 31 days in filing the appeal

Keeping in view the averments enumerated in the application,  
which are duly supported by an affidavit, the same is allowed. Consequently,



the delay of 31 days in filing the appeal is condoned.

**LPA-2115-2023 (O&M)**

1. In the present appeal, the challenge is to the order dated 25.01.2023 passed by the learned Single Judge in CWP-16166-2022, by which the writ petition filed by the appellant has been dismissed.

2. Learned counsel appearing for the appellant submits that the irregularities on the part of the depot holder were duly proved in the enquiry that had been initiated upon complaint of appellant herein and the enquiry report should be made the basis for cancelling the licence of the depot holder i.e. respondent No.4, which fact has not been appreciated by the learned Single Judge in correct perspective so as to dismiss the writ petition.

3. We have heard the learned counsel for the appellant and have gone through the record with his able assistance.

4. It may be noticed that the enquiry report, which is being pressed into operation to claim the relief has been dealt with by the learned Single Judge. According to the learned Single Judge, the enquiry report after which licence of depot holder had been cancelled is totally cryptic and non-speaking, which cannot be made the basis for taking action against respondent No.4. Learned counsel for the appellant has not been able to dispute the said fact. Once, the enquiry report does not give the details of irregularities and reasons thereof, the learned Single Judge has rightly ignored the same for taking action against respondent No.4.

5. Further, it has also been recorded that there existed enmity



between the complainant/appellant and respondent No.4. That being so, the litigation raised by the appellant as a complaint, puts the action of the appellant under cloud. Further, no prejudice caused to the appellant has been shown to this Court especially when the appellant is only a complainant and the State being the Competent Authority has concluded the issue.

6. Keeping in view the above, no ground is made out for any interference by this Court in the order dated 25.01.2023 passed by the learned Single Judge especially when the same has not been proved to perverse either on facts or law. Accordingly, the present appeal is dismissed.

7. Pending applications, if any, also stand disposed of.

( HARSIMRAN SINGH SETHI )  
JUDGE

( VIKAS SURI )  
JUDGE

March 05, 2026  
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|---------------------------|-----|
| Whether speaking/reasoned | Yes |
| Whether reportable        | No  |