



CWP-9418-2022

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Date of decision:16.02.2026

RAJESH CHAND VATS

...PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Ajaivir Singh, Advocate
for the petitioner.

Mr. Deepak Vashisth, DAG, Haryana,
for respondent No.1.

Mr. Vivek Saini, Advocate and
Mr. Arnav Goel, Advocate
for respondents No.2 and 3.

SUVIR SEHGAL, J.

1. This writ petition has been filed, *inter alia*, for issuance of a writ in the nature of certiorari for setting aside final order of assessment dated 13.01.2020, Annexure P-3, as well as appellate order dated 03.08.2021, Annexure P-9, passed by respondent authorities under Sections 126 and 127 of Electricity Act, 2003 (for short “2003 Act”).



2. Counsel for the petitioner states that two electricity connections installed at petitioner's premises were checked by the officials of Dakshin Haryana Bijli Vitran Nigam (DHBVN) on 04.12.2019 and it was found that wires of the connections were intermixed. A provisional assessment order dated 05.12.2019 and final assessment order dated 13.01.2020, Annexures P-2 and P-3, respectively, were served upon petitioner, raising a demand of Rs.6,78,783/-. Counsel states that petitioner deposited Rs.5,43,783/- and challenged the assessment orders by filing an appeal, which has been rejected vide impugned order, Annexure P-9. Besides, submissions on merits, counsel has contended that appellate authority has passed order, Annexure P-9, in a cursory manner without even advertng to the arguments addressed by petitioner. He asserts that as order is cryptic, it deserves to be set aside and matter be remitted back to the authority concerned.

3. Per contra, counsel for respondents No.2 and 3 has supported the impugned action as well as orders passed by the authorities. Reference has been made by him to petitioner's letter dated 20.12.2019, Annexure R-1, to assert that petitioner has admitted that he was drawing supply of horticulture connection from domestic connection. Counsel contends that respondents had followed all the regulations of DHBVN and the assessment of charges has been made as per the rules. Counsel has conceded that petitioner has deposited 80% of the assessed amount and balance is due.

4. After noticing the respective stand of both the parties, appellate authority has passed the following order:-



“In view of the foregoing deliberations, submission of oral and written pleadings by the appellant & respondent and the prevailing instructions, the Appellate Authority has come to the conclusion and orders as under:-

Keeping in view the deliberations above, the appeal of appellant is not found sustainable on the basis of evidences/site photographs & accordingly the assessment made by the assessing authority under Section 126 of Indian Electricity Act, 2003 is valid and holds good. However, the prerogative of appellant to pursue the remedies in the matter is subjected to provision of appropriate Acts/Rules.”

5. This Court finds that appellate authority has straightway recorded its conclusion without assigning any reason. It is well settled law that quasi-judicial order must be supported by cogent reasons, which are the heartbeat of every conclusion and their absence makes an order unsustainable.

6. Stressing on the need of passing speaking orders, Supreme Court in **Siemens Engineering and Manufacturing Co. of India Limited Versus Union of India and another, (1976) 2 SCC 981**, held that where a quasi-judicial authority makes an order it must record its reasons in its support. It has been observed that it is not imperative that an authority should have made an elaborate order discussing the arguments in the manner of a Court of law. But an order should have been a little more articulate so as to lend assurance that the case of parties has been properly considered. Sufficiently clear and explicit reasons must be assigned by a quasi-judicial authority before reaching at a conclusion. In **Kranti Associates Pvt. Ltd. and another Versus Masood Ahmed Khan and others, (2010) 9 SCC 496**, Apex Court has emphasized that giving of reasons, has virtually become as



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indispensable component of decision making process and facilitate the process of judicial review by superior Courts. As impugned order, Annexure P-9, sans any reason, it cannot be sustained.

7. For the reasons recorded above, impugned order, Annexure P-9, is set aside and the matter is remitted to appellate authority to decide the appeal afresh by passing a speaking order.

8. Writ petition is disposed of.

9. Parties are directed to appear before appellate authority on 23.03.2026, at 10:00 A.M., for further proceedings in accordance with law.

16.02.2026

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(SUVIR SEHGAL)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No