



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

223

CWP-11596-2020 (O&M)
Date of decision: 15.01.2026

Parminder Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present : Mr. Manuj Nagrath, Advocate
for the petitioner.

Mr. Surya Kumar, AAG, Punjab.

NAMIT KUMAR, J. (ORAL)

1. The present petition has been filed by the petitioner under Article 226 of the Constitution of India, seeking a writ of certiorari, for quashing of the order dated 14.04.2012 (Annexure P-12), issued by the respondent No.2, whereby the petitioner was illegally dismissed from service and order dated 11.11.2016 (Annexure P-16), whereby the appeal of the petitioner and order dated 31.03.2020 (Annexure P-17) passed in review by respondent No.2, was illegally rejected. Further, a writ of mandamus has been sought for directing the respondents to reinstate the petitioner back in service and grant all the back wages along with all consequential benefits to the petitioner.

2. Learned counsel for the petitioner, *inter alia*, contends that apart from the other points, which have been raised in the present petition, one of the grounds raised in the present petition is that the orders dated 11.11.2016 (Annexure P-16) and dated 31.03.2020

(Annexure P-17), passed by the appellate and the reviewing authority respectively, are cryptic and non-speaking orders as no reasons have been assigned while considering the detailed appeal dated 12.09.2012 (Annexure P-13), running into 23 pages, and review petition filed by the petitioner.

3. Learned State counsel could not refute the said contention raised by the learned counsel for the petitioner.

4. I have perused the order(s) dated 11.11.2016 (Annexure P-16) and 31.03.2020 (Annexure P-17), passed by the appellate and reviewing authority and the same read as follows:

**“GOVERNMENT OF PUNJAB
DEPARTMENT OF HOME AFFAIRS AND JAILS
(JAILS BRANCH)**

To

*Shri Parminder Singh,
Former Assistant Superintendent,
Village and Post Office: Badala Mahi,
Tehsil and District Hoshiarpur.
Memo No.: 1/428/2010-11/876249/1
Dated, Chandigarh: 11.11.2016*

Subject: Representation/Appeal of Shri Parminder Singh regarding reinstatement into service after reviewing the order dated 14.04.2012 issued by the government.

In reference to the representation / appeal dated 19.01.2016 submitted by you on the subject cited above.

2. *On the subject cited matter, it is intimated to you that the representation / appeal dated 19.01.2016 submitted by you has been rejected by the department after its perusal.*

*Sd/- 11.11.2016
Superintendent”*

“GOVERNMENT OF PUNJAB***Department of Jails******(Section Jails)****From:**Sh. Parminder Singh, Former Deputy
Superintendent**Village and post office: Badala Mahi**Tehsil and District Hoshiarpur**Pin Code 144105**Memo No. 1/19/2017-13/781**Dated: Chandigarh 31.03.2020*

***Subject: In reference to review petition against order
14.04.2012 passed by Principal Secretary,
Punjab Government, Home Affairs and
Justice, Chandigarh***

In reference to your Letter dated 19.07.2019.

2. *In reference to the above mentioned subject
challenging the Government order No. 1/428/2010-
1J/827-830 dated 16.04.2012, the appeal filed by you on
19.07.2019 after perusal by Competent Authority is filed.*

*Sd/-**Superintendent”*

5. A perusal of the impugned order dated 11.11.2016 (Annexure P-16) passed by the appellate authority would clearly reveal that submissions/grounds raised by the petitioner in the appeal dated 12.09.2012 (Annexure P-13), have not been adverted to, much less dealt with, therefore, the impugned order passed by the appellate authority cannot be sustained. Similar is the position with regard to order dated 31.03.2020 (Annexure P-17), whereby the review petition filed by the petitioner has been rejected.

6. For the reasons recorded hereinabove, the present petition is partly allowed and orders dated 11.11.2016 and 31.03.2020

(Annexures P-16 and P-17) passed by the appellate and the reviewing authority respectively, are set aside. However, liberty is granted to the appellate authority to reconsider the appeal of the petitioner in accordance with law and pass a fresh order within three months from the date of receipt of certified copy of this order after affording an opportunity of personal hearing to the petitioner.

- 7. Disposed of in the above terms.
- 8. Pending applications, if any, stand disposed of.

15.01.2026
Vinay

(NAMIT KUMAR)
JUDGE

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