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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-16762-2018

Date of decision: 02.04.2026

MANBIR SINGH

...Petitioner(s)

VERSUS

STATE OF HARYANA AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

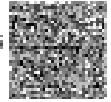
Present:- Ms. Pavneet Kaur, Advocate
for the petitioner.

Mr. Chirag Wadhwa, DAG, Haryana.

JASGURPREET SINGH PURI, J. (Oral)

1. The present Civil Writ Petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *certiorari* for quashing the order dated 20.07.2017 (Annexure P-1) passed by respondent No.2 and order dated 07.06.2018 (Annexure P-2) passed by respondent No.3.

2. Learned counsel for the petitioner submitted that the petitioner was issued a ration depot licence, which was cancelled vide order dated 20.07.2017 (Annexure P-1) by the District Food and Supply Controller, Bhiwani and thereafter, the petitioner filed an appeal, which was dismissed vide order dated 07.06.2018 (Annexure P-2) by the Collector, Bhiwani. She further submitted that no reason has been mentioned in either of the aforesaid impugned orders

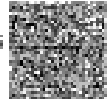


and in the absence of any reason specifying under which provision of law and for what violation the licence of the petitioner was cancelled, the order passed by the District Food and Supply Controller, Bhiwani vide Annexure P-1 is totally non-speaking and cryptic. She referred to the aforesaid order passed by the appellate authority i.e. the Collector, Bhiwani vide Annexure P-2, whereby after discussing the facts of the case, the appeal was dismissed with one stroke of a pen by just observing that there is no illegality in the order and that it is clear and as per law. She further submitted that the order passed by the appellate authority is also totally unreasoned as not even a single reason has been mentioned therein. She also submitted that when the reply was filed by the respondents-State, several other issues were raised with regard to the ineligibility of the petitioner but the same are not reflected in the impugned orders and therefore, both the impugned orders are liable to be set aside.

3. On the other hand, Mr. Chirag Wadhwa, DAG, Haryana submitted that he could not controvert the aforesaid factual position that both the impugned orders i.e. Annexure P-1 and Annexure P-2 passed by the District Food and Supply Controller, Bhiwani and the Collector, Bhiwani, respectively, do not mention any reason as to how the petitioner was not eligible for being granted a ration depot licence by the respondents-State. However, details have been so mentioned in the reply filed by the respondents-State that the petitioner was not eligible.

4. I have heard the learned counsels for the parties.

5. Apparently, in both the aforesaid impugned orders, no reason has been mentioned as to how the petitioner was not eligible for being granted a



ration depot licence. Although in reply filed by the respondents-State, certain details have been mentioned with regard to the ineligibility of the petitioner but it is a settled law that a reply cannot improve upon the orders which have been passed by the authorities. When the right of any person is to be considered and an order is to be passed, then it has to be considered and discussed in the order itself and it is not that when a petition is filed before this Court, such a stand is taken in the reply because replies cannot improve upon the orders. Both the aforesaid impugned orders are totally cryptic and do not disclose as to why the petitioner was ineligible.

6. Consequently, the present Civil Writ Petition is allowed. Both the impugned orders dated 20.07.2017 (Annexure P-1) and dated 07.06.2018 (Annexure P-2), are hereby set aside. The matter is remanded back to the District Food and Supply Controller, Bhiwani, to pass a fresh and reasoned order after giving adequate opportunity of hearing to the petitioner or his counsel. It is made clear that the fresh order shall be passed with due application of mind and uninfluenced by the earlier order passed vide Annexure P-1 as well as the present order passed by this Court as this Court has not observed anything on the merits of the case. The fresh order shall be passed by the District Food and Supply Controller, Bhiwani, within a period of three months from today, strictly in accordance with law.

(JASGURPREET SINGH PURI)
JUDGE

02.04.2026
Chetan Thakur

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