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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-4653-2018(O&M)
Date of Decision: 17.02.2026

DILBAG SINGH

....Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Ms. Sonia G. Singh, Advocate,
for the petitioner.

Mr. Udit Garg, Additional Advocate General, Haryana.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of *certiorari* for quashing the impugned order dated 19.07.2017 (Annexure P-5) passed by respondent No.4 and the order dated 17.01.2018 (Annexure P-6) passed by respondent No.3.

2. Learned counsel appearing on behalf of the petitioner submitted that the petitioner was having a licence for a ration depot which was issued by the respondents and had been operating the same for several years. He submitted that on the basis of some complaints made by some persons who were having grudge against the petitioner, the Controller, District Food, Civil Supplies and Consumer Affairs, Karnal, vide order dated 19.07.2017, cancelled the licence of the petitioner. She submitted that



against the aforesaid order, the petitioner has preferred an appeal before the Appellate Authority who is the Collector-cum-Deputy Commissioner, Karnal, who also dismissed the appeal vide order dated 17.01.2018 (Annexure P-6). While referring to the aforesaid order passed by the Appellate Authority, she submitted that all the contentions and grounds raised in the appeal were duly noted by the Appellate Authority but the Appellate Authority failed to consider even a single ground taken by the petitioner in the appeal and by just one stroke of a pen passed an unreasoned order observing that no new fact has been submitted by the petitioner and the order passed by the Controller, District Food, Civil Supplies and Consumer Affairs did not warrant interference. She submitted that it is a settled law that while hearing and deciding an appeal, the Appellate Authority is required to assign reasons. However, despite noting the contentions raised by the petitioner, the Appellate Authority failed to consider the same and, therefore, the impugned order is liable to be set aside being cryptic and unreasoned,.

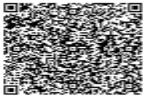
3. On the other hand, Mr. Udit Garg, learned Additional Advocate General, Haryana has submitted that the licence of the petitioner was cancelled after an inquiry was conducted on the basis of some complaints, giving adequate opportunity of hearing to the petitioner and it was found that there had been misappropriation and when the record was called for, the petitioner did not submit the record and therefore, the order passed by the Controller, District Food, Civil Supplies and Consumer Affairs was in accordance with law.



4. On a query being raised to the learned State counsel as to how the order passed by the Appellate Authority can be termed as a speaking order, he could not controvert the same.

5. I have heard the learned counsel for the parties.

6. A perusal of the order passed by the Appellate Authority would show that the petitioner had specifically pleaded that the cancellation was based on complaints made by the persons whose names were neither registered with the petitioner nor their ration cards were with him. Various other grounds were also raised by the petitioner in the appeal, including the ground that several other persons had not made any complaint against the petitioner and had, in fact, supported him and the complaints had been filed merely on the basis of grudge by a competitor depot holder namely, Joginder Singh and that the persons who filed the complaints did not even have the competence to do so and it was only because of the influence of the near competitor namely, Joginder Singh, that the learned Controller has cancelled the licence of the petitioner. However, a perusal of the order passed by the Appellate Authority would show that after noting down the contentions raised by the petitioner, who was the appellant before the Collector, the Collector by one stroke of pen dismissed the appeal by just observing that the petitioner has not been able to provide any new fact and therefore, the order passed by the Controller, District Food, Civil Supplies and Consumer Affairs was correct. It is a settled law that reasons are always the soul of an order. Whenever an authority exercises powers as an administrative or a quasi judicial authority, it has to be backed by some reasons.



7. In view of the above, this Court is of the considered view that the order passed by the Appellate Authority is absolutely cryptic and unreasoned and therefore, the same deserves to be set aside.
8. Consequently, the present petition is partly allowed. The order dated 17.01.2018 (Annexure P-6) passed by the Appellate Authority is hereby set aside. The Appellate Authority shall now pass a fresh order after hearing the petitioner or his counsel and by a fresh application of mind, being uninfluenced by the earlier order passed by the Appellate Authority or the present order passed by this Court and the same shall be strictly in accordance with law. The needful be done by passing of a speaking order within a period of two months from today.

17.02.2026

(JASGURPREET SINGH PURI)

rakesh

JUDGE

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