



**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

211

CWP-8663-2017 (O&M)

Date of decision: 05.05.2026

Sukhwant Singh

....Petitioner

Versus

Punjab Agro Industries Corporation Limited and another

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Mandeep K. Sajjan, Advocate
and Mr. Vikram K. Bishnoi, Advocate for the petitioner.

Mr. Anupam Singla, Advocate for the respondents.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in this writ petition filed under Article 226 of the Constitution of India, is for issuance of a writ in the nature of *certiorari*, for quashing the order dated 26.03.2015 (Annexure P-4) passed by respondent No.2 whereby the services of the petitioner were terminated and for quashing the order dated 17.05.2016 (Annexure P-6) passed by respondent No.1 whereby the appeal filed by the petitioner against the punishment order was dismissed. Further a writ of *mandamus* has been sought, directing the respondents to consider the petitioner as compulsorily retired from the date of dismissal and release all the consequential retiral benefits.

2. Learned counsel for the petitioner, at the outset, submits that the impugned order dated 17.05.2016 (Annexure P-6), is cryptic and non-speaking, and the same has been passed in a mechanical manner without assigning any reasons. He further submits that the



petitioner has filed an appeal on 30.05.2015 against the punishment order before the Chairman, PAIC, which was placed before the Board of Directors, PAIC i.e. Appellate Authority on 17.05.2016 and during the course of hearing of said appeal, no new facts have been submitted by the petitioner and consequently, the Board of Directors resolved that appeal filed by the official stands dismissed. At this stage, learned counsel for petitioner confines his prayer to the extent that the Appellate Authority be directed to consider and decide the appeal filed by the petitioner afresh.

3. *Per contra*, learned counsel for the respondents could not controvert the fact that the impugned order lacks reasoning and the same is a cryptic order, passed in a mechanical manner.

4. I have heard learned counsel for the parties and perused the record with their able assistance.

5. This Court is *prima facie* satisfied with the arguments advanced by learned counsel for the petitioner that the order dated 17.05.2016 (Annexure P-6) passed by the Appellate Authority is cryptic and non-speaking. The Hon'ble Apex Court in ***Raj Kishore Jha v. State of Bihar, (2003) 11 SCC 519***, has crystallized the principle: **"Reason is the heartbeat of every conclusion. Without the same it becomes lifeless."** An order without reasons is anathema to a system of justice based on the rule of law.

6. The Appellate Authority, while dismissing the appeal, has not adverted to the grounds raised by the petitioner and has rejected the



appeal solely on the premise that no new facts were brought on record. Such an approach defeats the very purpose of an appellate remedy, which requires due consideration of the issues raised.

7. Accordingly, in view of the statement made by learned counsel for the petitioner confining his prayer to the limited extent of seeking a direction for fresh consideration of the appeal preferred by the petitioner and without expressing any opinion on the merits of the case, the impugned order dated 17.05.2016 (Annexure P-6) is set-aside. The matter is remitted back to the Appellate Authority (respondent No.1) to consider and decide the appeal filed by the petitioner afresh expeditiously, by passing a well-reasoned and speaking order, in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of six months from the date of receipt of a certified copy of this order. The decision so taken shall be communicated to the petitioner forthwith.

8. Disposed of, accordingly.

9. Liberty is granted to the petitioner to place on record relevant case law and/or file written submissions before the Appellate Authority, which shall be duly considered while passing a well-reasoned and speaking order.

(HARPREET SINGH BRAR)
JUDGE

05.05.2026

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No