

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

221

CWP-23991-2023 (O&M)
Date of Decision :12.03.2026

Anand Moudgil

...Petitioner

Versus

The State Transport Appellate Tribunal (STAT)
Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI

Present: Petitioner in person (through V.C.)

Mr. Aman Mittal, DAG, Haryana.

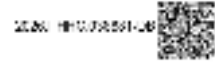
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Harsimran Singh Sethi, J. (Oral)

1. In the present petition, the challenge is to the impugned order dated 26.05.2023 (Annexure P/1) passed by the State Transport Appellate Tribunal (STAT), Haryana (hereinafter referred to as 'the Appellate Tribunal') by which, the appeal filed by the petitioner against impugned refusal order dated 12.10.2021 passed by Superintendent for Transport Commissioner, Haryana refusing the applications filed by the petitioner for grant of stage carriage permit from Gurugram to Katra and Gurugram to Chandigarh has been dismissed.

2. Petitioner-Anand Moudgil, who appears in person argues that though, in paragraph-10 of the impugned order it has been mentioned that on account of entire discussions, no ground is made out for interference qua the

impugned order passed by the Transport Department of the Government of



Haryana but, no discussion on the issues raised has been done by the Appellate Tribunal. The petitioner further submits that no reason as to what prompted the Appellate Tribunal to dismiss the claim of the petitioner, can be found in the order and therefore, a totally cryptic and non-speaking order has been passed by the Appellate Tribunal, which may kindly be set aside.

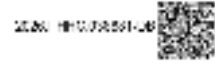
3. Learned counsel for the respondents submits that once all the facts have been mentioned and the said facts have been taken note of, merely that reasons to reach the conclusion are not visible from the impugned order, the same be not treated a ground to set aside the said impugned order

4. We have heard the petitioner in person as well as learned counsel for the respondents.

5. As per the settled principle of law settled by the Hon'ble Supreme Court of India in **Kranti Associates Pvt. Ltd. and another vs. Masood Ahmed Khan and others, (2010) 9 SCC 496** that all the orders which are to be passed by any judicial authority have to be reasoned. The reason should come based upon the facts as to why the relief claimed is being granted or denied, so that the aggrieved party should know as to what led to acceptance or dismissal of the claim raised in order to decide whether any remedy is to be undertaken or not. Relevant paragraph of the judgment is as under:-

“47. Summarizing the above discussion, this Court holds:

a. In India the judicial trend has always been to record reasons, even in administrative decisions, if such decisions affect anyone prejudicially. b. A quasi-judicial authority must record reasons in support of its conclusions.



c. Insistence on recording of reasons is meant to serve the wider principle of justice that justice must not only be done it must also appear to be done as well.

d. Recording of reasons also operates as a valid restraint on any possible arbitrary exercise of judicial and quasi-judicial or even administrative power.

e. Reasons reassure that discretion has been exercised by the decision maker on relevant grounds and by disregarding extraneous considerations.

f. Reasons have virtually become as indispensable a component of a decision making process as observing principles of natural justice by judicial, quasi-judicial and even by administrative bodies.

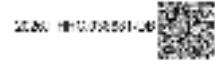
g. Reasons facilitate the process of judicial review by superior Courts.

h. The ongoing judicial trend in all countries committed to rule of law and constitutional governance is in favour of reasoned decisions based on relevant facts. This is virtually the life blood of judicial decision making justifying the principle that reason is the soul of justice.

i. Judicial or even quasi-judicial opinions these days can be as different as the judges and authorities who deliver them. All these decisions serve one common purpose which is to demonstrate by reason that the relevant factors have been objectively considered. This is important for sustaining the litigants' faith in the justice delivery system.

j. Insistence on reason is a requirement for both judicial accountability and transparency.

k. If a Judge or a quasi-judicial authority is not candid enough about his/her decision making process then it is impossible to know whether the person deciding is



faithful to the doctrine of precedent or to principles of incrementalism.

l. Reasons in support of decisions must be cogent, clear and succinct. A pretence of reasons or 'rubber-stamp reasons' is not to be equated with a valid decision making process.

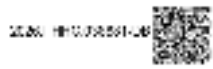
m. It cannot be doubted that transparency is the sine qua non of restraint on abuse of judicial powers. Transparency in decision making not only makes the judges and decision makers less prone to errors but also makes them subject to broader scrutiny. (See David Shapiro in Defence of Judicial Candor (1987) 100 Harward Law Review 731-737).

n. Since the requirement to record reasons emanates from the broad doctrine of fairness in decision making, the said requirement is now virtually a component of human rights and was considered part of Strasbourg Jurisprudence. See (1994) 19 EHRR 553, at 562 para 29 and Anya vs. University of Oxford, 2001 EWCA Civ 405, wherein the Court referred to [Article 6](#) of European Convention of Human Rights which requires, "adequate and intelligent reasons must be given for judicial decisions".

o. In all common law jurisdictions judgments play a vital role in setting up precedents for the future. Therefore, for development of law, requirement of giving reasons for the decision is of the essence and is virtually a part of "Due Process".

6. In the present case, though, the facts raised before the Appellate Tribunal were mentioned in the order impugned but, no discussion on the said facts has been done to reach the conclusion that why relief claimed is being denied. In the absence of any reason given to reach the conclusion, the

order passed by the Appellate Tribunal cannot be accepted being contrary to



the settled principle of law noticed hereinbefore.

7. Hence, the impugned order dated 26.05.2023 (Annexure P/1) passed by the Appellate Tribunal is set aside and the case is remanded back to the Appellate Tribunal to decide the same afresh in accordance with law.

8. Parties are directed to appear before the Appellate Tribunal on 08.04.2026.

9. Present petition is allowed.

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

March 12, 2026

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Whether speaking/reasoned : Yes
Whether reportable : No