

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

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CWP-26756-2025 (O&M)**Date of decision : 09.09.2025****Jagdish Chand****... Petitioner****Versus****Haryana Shehri Vikas Pradhikaran and others****...Respondents****CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr. Manoj Kumar Sood, Advocate for the petitioner.

Anupinder Singh Grewal, J. (Oral)

Learned counsel for the petitioner submits that although the land of the petitioner had been acquired by notification dated 08.05.1995 and he was eligible for allotment of plot under the Policy for Rehabilitation and Resettlement of Land Owners, Land Acquisition Outstees but his application has been rejected by a non-speaking and cryptic order dated 16.03.2023 (Annexure P-5).

2. Issue notice to the respondents.
3. Mr. Deepak Bhardwaj, Addl. A.G. Haryana accepts notice on behalf of the respondents.
4. The petitioner is stated to be the owner of land measuring 8 marlas which was acquired on 08.05.1995. He had applied for a 3 marlas plot and had deposited fees of Rs.50,000/-. However, his application has been rejected by respondent No.3 vide order dated 16.03.2023 (Annexure P-5), which is reproduced hereunder:-



“Please refer to the subject cited above. In this regard, it is informed that your application dated 22.12.2018 has been duly considered and as per screening committee report, your case has been rejected. Further said proceeding dated 23.05.2022 has also been approved by the competent authority vide letter dated 10.01.2023. Therefore, you are requested to submit the copy of cancel cheque/bank detail so that application money i.e. Rs.50,000/- can be refunded to you as per HSVP policy.”

5. It is manifest from a perusal of the impugned order that it is cryptic, non-speaking and unreasoned. Respondent No.3-Estate Officer ought to have spelt out the reasons as to why the case of the petitioner had been rejected. It is trite that it is enjoined upon the administrative authority to pass a reasoned order. The reasons are the soul of the decision-making process. It enables the aggrieved party to comprehend as to why the decision has been made against it. Reference can be made to the judgment of the Supreme Court in ***Kranti Associates Private Limited and another Vs Masood Ahmed Khan and others, (2010) 9 SCC 496*** wherein while setting aside the order of the National Consumer Disputes Redressal Commission on the ground that the impugned order was cryptic and non-reasoned, it was held by the Supreme Court as under:-

*“12. The necessity of giving reason by a body or authority in support of its decision came up for consideration before this Court in several cases. Initially this Court recognized a sort of demarcation between administrative orders and quasi-judicial orders but with the passage of time the distinction between the two got blurred and thinned out and virtually reached a vanishing point in the judgment of this Court in *A.K. Kraipak v. Union of India*.*

*13. In *Kesav Mills Co. Ltd. v. Union of India*, this Court approvingly referred to the opinion of Lord Denning in *R. v. Gaming Board for Great Britain, ex p Benaim* and quoted him as saying “that heresy was scotched in *Ridge v. Baldwin*.*



14. *The expression “speaking order” was first coined by Lord Chancellor Earl Cairns in a rather strange context. The Lord Chancellor, while explaining the ambit of the writ of certiorari, referred to orders with errors on the face of the record and pointed out that an order with errors on its face, is a speaking order. (See PP 1878-97 Vol. 4, Appeal Cases 30 at 40 of the Report).*

15 *This Court always opined that the face of an order passed by a quasi-judicial authority or even an administrative authority affecting the rights of parties, must speak. It must not be like the “inscrutable face of a Sphinx”.*

Xxx xxx xxx”

6. Therefore, the impugned order being cryptic and non-speaking deserves to be set aside. Consequently, the petition is allowed and the impugned order is set aside. Respondent No.3 shall pass an order afresh, in accordance with law, within a period of two months from now, after affording an opportunity of personal hearing to the petitioner.

7. All pending miscellaneous application(s), if any, shall also stand disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

09.09.2025
Sapna

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