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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-29370-2023
Date of decision: 10.09.2025

JAHID HUSSAIN

...Petitioner(s)

VERSUS

STATE OF HARYANA AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Saleem Ahmed, Advocate
(Through Video Conferencing) and
Mr. Aazam Khan, Advocate
for the petitioner.

JASGURPREET SINGH PURI, J. (Oral)

1. The present 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 of the order dated 26.12.2022 (Annexure P-1) as well as order dated 24.08.2023 (Annexure P-2), vide which the licence of the depot of the petitioner was cancelled as well as the appeal filed by the petitioner was also dismissed, with a further prayer to direct respondents No.2 and 3 to reinstate the depot of the petitioner.

2. Learned counsel for the petitioner has joined the proceedings through video conferencing and submitted that costs of Rs.1,000/- have been deposited by the petitioner in the Punjab and Haryana High Court Bar Association Lawyers Family Welfare Fund in pursuance of the order dated



04.08.2025 and has furnished a photocopy of the receipt of the same in the Court today, which is taken on record.

3. Learned counsel for the petitioner further submitted that the ration depot licence of the petitioner was cancelled by way of the impugned order dated 26.12.2022 (Annexure P-1) passed by the District Food Civil Supplies and Consumer Affairs Controller, Nuh and the aforesaid order on the face of it is absolutely a non-speaking and cryptic order, wherein no reasons have been assigned, although the allegations against the petitioner have been so noted down in the aforesaid order but the licence has been cancelled on the ground that the reply filed by the petitioner was not satisfactory. He further submitted that thereafter, when the petitioner filed an appeal against the aforesaid order, the appellate authority i.e. the Deputy Commissioner, Nuh also did the same thing and vide order dated 24.08.2023 (Annexure P-2), the appeal was dismissed without discussing the merits of the case and without recording any reasons. He also submitted that it is a settled law that whenever any order is to be passed either by a quasi-judicial authority or even by the administrative authority then the same has to be backed by reasons.

4. On the other hand, Mr. Udit Garg, Addl. A.G., Haryana could not controvert the aforesaid submissions made by the learned counsel for the petitioner pertaining to the aforesaid unreasoned orders.

5. In view of the aforesaid facts and circumstances, this Court is of the considered view that a perusal of both the aforesaid impugned orders passed by the licensing authority and the appellate authority vide Annexure P-1 and Annexure P-2, respectively, would show that the reasons have not been



discussed and the cancellation of ration depot licence has been done on the basis of some complaints against the petitioner. The mere fact that it is so recorded that the reply filed by the petitioner was not satisfactory is not a reason for cancellation of ration depot licence because it affects the livelihood of a person and rather Article 21 of the Constitution of India is affected.

6. Consequently, the present petition is allowed. Both the aforesaid impugned orders dated 26.12.2022 (Annexure P-1) passed by the District Food Civil Supplies and Consumer Affairs Controller, Nuh and dated 24.08.2023 (Annexure P-2) passed by the appellate authority i.e. the Deputy Commissioner, Nuh, are hereby set aside being unreasoned orders. The matter is remanded back to the District Food Civil Supplies and Consumer Affairs Controller, Nuh 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 orders passed vide Annexure P-1 and Annexure P-2 as well as the present order passed by this Court. The fresh order shall be passed by the District Food Civil Supplies and Consumer Affairs Controller, Nuh, within a period of three months from today, strictly in accordance with law.

(JASGURPREET SINGH PURI)
JUDGE

10.09.2025
Chetan Thakur

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