

SUPREME COURT OF INDIA

State of Himachal Pradesh

Vs.

Sh. Sada Ram

C.A.No.1717 of 2009

(Tarun Chatterjee and H. L. Dattu JJ)

18.03.2009

JUDGMENT

Tarun Chatterjee, J.

1. Leave granted.

2. The High Court, while dismissing the petition, passed the following order :- "CMP No. 224 of 2006 Heard. We do not see any reason to interfere with the judgment of the Tribunal. The petition is Dismissed. CMP No. 332 of 2006

In view of the order passed in the main matter, this application shall also stand dismissed."

3. In our view, the High Court, while disposing of the writ application, ought to have at least given some reasons for dismissing the same and ought to have passed a speaking and a reasoned order. Such being the position and without going into the merits of the writ petition, we set aside the impugned order and restore the writ petition and request the High Court to decide the writ petition afresh on merits.

4. The High Court is requested to dispose of the writ petition at an early date preferably within three months from the date of supply of a copy of this order to it. The impugned order is accordingly set aside. The appeal is allowed to the extent indicated above. There will be no order as to costs.