IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.3256 OF 2013
(@ SPECIAL LEAVE PETITION (CIVIL)NO.13655 OF 2009)

RAKESH BHATNAGAR   APPELLANT

VERSUS

UNION OF INDIA & ORS.   RESPONDENTS

O R D E R

1.   Leave granted.

2.   This appeal is directed against the judgment and order passed by the High Court of Judicature at Bombay in Writ Petition No.398 of 2009, dated 11.02.2009.

3.   By the impugned judgment and order, the High Court has rejected the Writ Petition filed by the appellant (hereinafter referred to as 'delinquent employee'), who was compulsorily retired from service.

4.   The Disciplinary authority had passed an order dismissing the delinquent employee from service. On a Review Petition filed by the delinquent employee, the Reviewing Authority had modified the punishment from dismissal of the delinquent employee from service to compulsory retirement from service. They further imposed certain other punishments. Being aggrieved by the aforesaid orders passed, the delinquent employee had approached the Writ Court for

appropriate relief.   The Writ Court, by a non-speaking order, dismissed the Writ Petition filed by the delinquent employee. Aggrieved by the aforesaid order the delinquent employee is before this Court.

5.   To say the least, the judgment and order does not contain any reasons whatsoever for dismissal of the Writ Petition.   In our opinion, an order which does not contain reasons is no order in the eye of law and requires to be set aside.

6.   Therefore, we set aside the judgment and order passed by the High Court and remand the matter back to the High Court for fresh disposal in accordance with law.

7.   We request the High Court to dispose of the Writ Petition filed by the delinquent employee as early as possible, after affording opportunity of hearing to the parties concerned.

8.   The appeal is, accordingly, disposed of.

9.   All the contentions raised by both the parties are kept open to be agitated before the High Court.

        Ordered accordingly.

                                    ....J.
                                       (H.L. DATTU)

                                    ....J.
                                     (JAGDISH SINGH KHEHAR)
NEW DELHI;

APRIL 08, 2013

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JUDGMENT