



2026:UHC:3382

| SL. No. | Date | Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures | COURT'S OR JUDGE'S ORDERS |
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| | | | <p><u>WPSS/1052/2026</u> <u>Hon'ble Manoj Kumar Tiwari, J.</u></p> <p>Mr. Dushyant Mainali, Advocate for the petitioner.</p> <p>Mr. S.S. Lingwal, Advocate for the respondents through video conferencing.</p> <p>2. Petitioner was a Group-D employee, serving on the post of Helper in electricity wing of G.B. Pant University of Agriculture and Technology. He was dismissed from service based on charge of theft vide order dated 15.04.2015. He filed Writ Petition No. 550 of 2015 (SS), which was dismissed. Petitioner filed Special Appeal No. 369 of 2017, which was disposed of on 05.03.2025, by permitting writ petitioner to file appeal before the Board of Management, and Board of Management was directed to decide the appeal, as per law within two months.</p> <p>3. Pursuant to the order passed in Special Appeal, petitioner filed an appeal, which has been dismissed. The factum of dismissal of appeal has been communicated to petitioner by Establishment Officer vide order dated 10.07.2025, which is on record as Annexure-1 to the writ petition, which is under challenge in this writ petition.</p> <p>4. The impugned order does not contain any reason why petitioner's appeal was dismissed. The issues raised by petitioner in his appeal have also not</p> |



been dealt with in the said order.

5. Learned counsel for the University was given time to get copy of the reasoned order, if passed by the competent authority on petitioner's appeal. Thereafter, matter was listed on 29.04.2026, on which date the University remained unrepresented. Today also learned counsel for the University could not produce copy of the reasoned order, if passed on petitioner's appeal.

6. Learned counsel for the University submits that search is being made in the office of University; however, despite best efforts, reasoned order could not be traced.

7. Learned counsel for the petitioner, however, submits that reasoned order was never communicated to petitioner. From the reply given by counsel for the University, it is apparent that petitioner's appeal was dismissed in a cursory manner with total non-application of mind and issues raised by petitioner in his appeal were not dealt at all. No reason was assigned for dismissal of petitioner's appeal.

8. Law is well settled that while deciding an appeal, the appellate authority is bound to deal with all the issues and has also to record reasons why those issues did not found favour with the appellate authority.

9. Since nothing of the sort has been done in the present case, therefore, on this ground alone,



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| | | <p>impugned order dated 10.07.2025 deserves to be quashed and is hereby quashed.</p> <p>10. The writ petition is allowed.</p> <p>11. The matter is remitted back to the appellate authority to consider and decide the appeal on merits by passing a reasoned order.</p> <p>12. Needful shall be done within three months from the date of presentation of certified copy of this order before the appellate authority.</p> <p style="text-align: right;">(Manoj Kumar Tiwari, J.) 05.05.2026</p> <p>Mahinder/</p> |
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