

(2026) 02 OHC CK 1720

In the Orissa High Court

Case No : Writ Petition (C) No. 3375 Of 2026

Maa Tara Tarini SHG

APPELLANT

Vs

State Of Odisha & Others

RESPONDENT

Date of Decision : 10-02-2026

Acts Referred:

Constitution Of India, 1950 — Article 226, 227

Citation : (2026) 02 OHC CK 1720

Hon'ble Judges : Ananda Chandra Behera, J

Bench : Single Bench

Advocate : Pravash Chandra Jena, G. Mohanty

Final Decision : Disposed Of

Judgement

Ananda Chandra Behera, J

1. This writ petition under Articles 226 and 227 of the Constitution of India, 1950 has been filed by the petitioner-WSHG praying for quashing the removal of the name of the petitioner-WSHG for procuring paddy for KMS 2025-26 from the Office Order/letter No.80/Judicial/MS/2026 dated 19.01.2026 under Annexure-7 passed/issued by the Collector-cum-District Magistrate, Ganjam (Opp. Party No.2) and to direct the Opp. Party No.2 for the inclusion/insertion of the name of the petitioner WSHG in that Annexure-7 as a paddy procurement agency for KMS 2025-26 and to pass such other order(s) in favour of the petitioner.

2. The factual backgrounds of this writ petition, which prompted the petitioner for filing of the same is that, as per the final order dated 08.01.2026 passed in WPC No.33142 of 2025 by this Court, the Collector-cum-Chairman of the District Level Paddy Procurement Committee was directed to finalize the selection of WSHGs for the procurement of paddy for KMS 2025-26 considering the case of the petitioner-WSHG along with other WSHGs. On the basis of the said order dated 08.01.2026 passed in WPC No.33142 of 2025 by this Court, district level verification team was constituted as per the Order of the Opp. Party No.2 for

verification and submission of report relating to the eligibility of the WSHG for the selection of paddy procurement for KMS 2025-26 on being headed by Deputy Collector, Revenue. During such verification by the Committee, the name of the Petitioner-WSHG was in Sl. No.2 as per Annexure-6. The committee members were fully satisfied with the infrastructures, equipments and materials of the petitioner-WSHG according to the guidelines issued by the FS & CW Department vide Letter No.21433 dated 18.12.2025 to be selected for the procurement of paddy, but, surprisingly, without any reason, the Collector-cum-District Magistrate, Ganjam (Opp. Party No.2) as per the impugned Order/letter No.80/Judicial/MS2026 dated 19.01.2026 (Annexure-7) removed/excluded the name of the petitioner-WSHG and permitted other WSHGs for the procurement of paddy for KMS-2025-26. For which, the petitioner-WSHG has challenged the same by filing this writ petition praying for quashing the removal of the name of the petitioner-WSHG from Annexure-7 (Order/Letter No.80/Judicial/MS 2026 dated 19.01.2026) and to direct the Opp. Party No.2 for the inclusion/insertion of the name of the petitioner in the said list, as the name of the petitioner has been removed/excluded illegally without assigning any reason/cause for such exclusion/removal.

3. I have already heard from the learned counsel for the petitioner and the learned Addl. Standing Counsel for the State.

4. It is well evident from the impugned Order/letter No.80 dated 19.01.2026 (Annexure-7) passed/issued by O.P. No.2 that, "no reason/cause has been assigned for the removal/exclusion of the name of the petitioner WSHG as a paddy procurement agency for KMS 2025-26".

It is the settled propositions of law that, when any order is not backed/supported by any reason, then the said order is to be termed as a non-speaking order. That order cannot be sustainable under law. Because as per law, such order is against the principles of natural justice, only due to non-assigning of any reason/cause for passing of the same.

On this aspect the propositions of law has already been clarified in the ratio of the following decisions:

(a) In a case between Kranti Associates Private Limited & Another v. Masood Ahmed Khan & Others reported in 2010 (9) SCC 496 that, In India the judicial trend has always been to record reasons, even in administrative decisions, if such decisions affect anyone prejudicially.

(b) In a case between Menaka Gandhi Vs. Union of India reported in 1978 (1) SCC 248 that, law cannot permit any exercise of power by an executive to keep the reasons undisclosed if the only motive for doing so is to keep the reasons away from judicial scrutiny.

(c) In a case between Raj Kishore Jha Vs. State of Bihar & Others reported AIR 2003 SC page 4664, that, the reason is the heartbeat of every conclusion.

(d) In a case between Vishwanath Jha & Others Vs. State of Bihar through the Collector and Others reported in 2025 (1) CCC 310 (Patna) that, reason is heartbeat of every conclusion. Pretence of reasons or rubber-stamp reasons is not to be equated with a valid decisions-making process.

(e) In a case between India Limited Vs. Sales Tax Officer, Rourkela-I Circle reported in AIR 2009 (Suppl.) SC 561 that, reason is the heart beat of every conclusion. It introduces clarity in an order and without the same it becomes lifeless.

(f) Special appeal No.497 of 2021 Allahabad Durgawati Singh and others Vs. Deputy Registrar, Firms, Societies & Chits Lucknow and others decided on 04.01.2022 that, Whenever an order is struck down as invalid being in violation of principles of natural justice, there is no final decision of the case and fresh proceedings are left open.

5. So, by applying the principles of law enunciated in the ratio of the above decisions of the Hon'ble Courts and Apex Court to the impugned order/letter vide Annexure-7 passed/issued by the Collector & District Magistrate, Ganjam (O.P. No.2), it is held that, the impugned order/letter passed/issued on dated 19.01.2026 (Annexure-7) by the Collector & District Magistrate, Ganjam (Opp. Party No.2) relating to the removal of the name of the Petitioner-WSHG for procuring paddy for KMS 2025-26 is not sustainable under law.

For which, there is justification under law for making interference only with the said exclusion of the name of the petitioner-WSHG from the Annexure-7 through this writ petition filed by the petitioner-WSHG.

6. As such, there is merit in the writ petition filed by the petitioner-WSHG. The same is to be allowed.

7. In result, the writ petition filed by the petitioner is allowed.

8. The impugned Letter/Order No.80/Judl./MS/2026 dated 19.01.2026 vide Annexure-7 issued/passed by the Collector-cum-District Magistrate, Ganjam (Opp. Party No.2) is quashed only relating to the removal/elimination of the name of the petitioner-WSHG as a paddy procurement society/agency for KMS 2025-26.

9. The Opp. Party No.2 (Collector & District Magistrate, Gnajam) is directed to consider the matter relating to the elimination/exclusion of the name of the petitioner as a paddy procurement society/agency for KMS 2025-26 after giving opportunity of hearing to the petitioner-WSHG and others, if any, complying the principles of natural justice without interfering with the continuation of the present paddy procurement of KMS 2025-26, if the same will have been made by the Opp. Party No.2 in the meanwhile.

It is made clear here that, if in the fresh decision of the Opp. Party No.2 (Collector & District Magistrate, Ganjam), it is found that, the elimination/

removal of the name of the petitioner-WSHG from procuring paddy for KMS 2025-26 is baseless, then, the petitioner-WSHG is at liberty to claim compensation for its baseless exclusion/removal from the erring persons/officials those had alleged such false and baseless allegations.

10. As such, this writ petition filed by the petitioner is disposed of finally.