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**(2004) 08 AHC CK 0272**  
**In the Allahabad High Court**  
**Case No : Special Appeal No. 888 of 1997**

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| Maqsood Ahmad                 | Vs | APPELLANT  |
| Executive Engineer and Others |    | RESPONDENT |

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**Date of Decision :** 18-08-2004

**Acts Referred:**

**Citation :** (2005) 2 AWC 1180

**Hon'ble Judges :** Umeshwar Pandey, J; M. Katju, J

**Bench :** Division Bench

**Advocate :** Ranjit Saxena, for the Appellant;

**Final Decision :** Allowed

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## Judgement

M. Katju and Umeshwar Pandey, JJ.—This special appeal has been filed against the impugned judgment of the learned single Judge (Hon"ble S. L. Sarraf, J.) dated 30.9.1997 by which he dismissed the writ petition.

2. The impugned judgment is very cryptic which does not even give reasons.

3. The impugned judgment states :

"Heard learned counsel for the parties. I have gone through the petition and find no merit. The writ petition is dismissed accordingly. There will be no order as to costs."

4. A perusal of the impugned judgment shows that it has given no reasons for dismissing the writ petition. It has repeatedly been held by the Supreme Court that the High Court cannot dismiss a writ petition without giving reasons. It has been held by the Supreme Court in Arun Damka Vs. Additional Inspector-general of Police and Another, and Gram Panchayat, Bari Vs. Collector, Sonapat and another, , that a writ petition should not be dismissed without giving reasons.

5. In view of the above, this appeal is allowed and the impugned judgment of the learned single Judge is set aside. The matter is remanded to the appropriate

learned single Judge for deciding the writ petition on merits expeditiously by a reasoned order after hearing counsel for the parties.