

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No. 18173 of 2015 (O&M)

-1-

**CWP No. 18173 of 2015 (O&M)
Decided On : 08.02.2018**

Shaheed Udham Singh Tata Ace Drivers Union

...Petitioner

versus

State of Punjab and others

...Respondents

**CORAM : HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HOB'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present : Mr. Nishant Rishi, Advocate for
Mr. Amit Goyal, Advocate,
for the petitioner.

Mr. Shireesh Gupta, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J.

1. The petitioner Union has sought a direction to the respondents to stop the illegal running of modified/altere motorcycle-rehris (the Jugaads).

2. The petitioner Union is registered in the name of Shaheed Udham Singh Tata Ace Drivers Union. It is stated in the petition that the members of petitioner Union are working as drivers of Tata Ace in city Patran, District Patiala and transportation of goods is the means of their livelihood. However, their livelihood is being challenged by the persons using

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No. 18173 of 2015 (O&M)

-2-

unauthorized motorcycles which are altered/modified and have rehris/trailer attached thereto, which is in complete violation of the Motor Vehicles Act, 1988. They have written to the respondents for taking action against the illegal motorcycles/rehris, but no action has been taken by the respondents to check the violations.

3. In response to the notice, reply has been filed on behalf of respondents No.1, 2 and 3, wherein it is stated that the Enforcement Agencies, including the Secretary, Regional Transport Authority, the District Transport Officers and the Traffic Police are conducting traffic checking on regular basis to curb the traffic violations including the plying of illegal modified/altered vehicles for commercial purpose, as well as for overloading. The statement indicating that 17 modified/altered vehicles were challaned from January, 2015 to September, 2015 is annexed as Annexure R-3/1. The affidavits have also been filed on behalf of respondent No.7, wherein it is stated that motorcycle rehris have been detained under Section 207 of the Act.

4. In compliance to the order of this Court passed on 11.09.2017, affidavit of Secretary, Regional Transport Authority, Patiala dated 08.12.2017 has also been filed wherein it is stated that during the course of traffic checking, 8 motorcycle rehris were challaned and impounded for illegal plying of the vehicles.

The details of vehicles which have been challaned, have been

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No. 18173 of 2015 (O&M)

-3-

mentioned therein.

5. In view of the aforementioned replies and the status reports filed by the respondents, we do not consider it appropriate to issue any further directions in the matter. However, the petitioner Union would be at liberty to bring any instance of illegal/unauthorized plying of the motor vehicles to the respondents who shall take action against the same in accordance with law.

6. The petition stands disposed of accordingly.

**(ANUPINDER SINGH GREWAL)
JUDGE**

**(AJAY KUMAR MITTAL)
JUDGE**

FEBRUARY 08, 2018
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|----|-----------------------------|--------|
| 1. | Whether speaking/reasoned : | YES/NO |
| 2. | Whether reportable : | YES/NO |