

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

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**CWP-19614-2022 (O&M).
Date of Decision: September 01, 2022.**

Naresh Dilawari

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Petitioner in person.

Mr. Saurav Verma, Addl. A.G., Punjab.

Mr. Deepak Goyal, Advocate, for respondent No.5.

VINOD S. BHARDWAJ, J. (ORAL)

The instant writ petition has been filed under Articles 226/227 of the Constitution of India, raising a challenge to the order dated 09.08.2022 (Annexure P-1) passed by the respondent authorities under Section 55 of the Motor Vehicles Act, 1988 (for short 'the M.V. Act'). Section 57 of the M.V. Act, prescribes a remedy of appeal against the orders passed in exercise of power under Section 55 of the M.V. Act, in the event the same is filed before the prescribed authority in the prescribed time schedule.

Learned counsel for the petitioner has, however, contended that the remedy is not efficacious.

There is no reason for this Court to presume that statutory remedy of appeal prescribed in the Statute would not be an efficacious remedy. A writ jurisdiction is not a panacea for procedural laws and cannot be a substitute to the statutory mechanism provided for redressal of grievances. Unless cogent circumstances and reasons are shown, a writ Court would be reluctant in interfering in such appealable orders by bypassing the statutory remedy.

The present writ petition is accordingly dismissed. Liberty, however, is granted to the petitioner to prefer an appeal in accordance with law.

September 01, 2022
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No