

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1349 of 2024

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1. Hasibul Rahman @ Hasibul Son of Md. Nazir Resident of Village- Hasanpura. P.S. Mufassil. District-Siwan.
 2. Wasim Rahman Son of Hasibul Rahman Resident of Village- Hasanpura. P.S. Mufassil. District-Siwan.
 3. Jamil Rahman Son of Hasibul Rahman Resident of Village- Hasanpura. P.S. Mufassil. District-Siwan.
 4. Shoaib Rahman Son of Hasibul Rahman Resident of Village- Hasanpura. P.S. Mufassil. District-Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Transport Department Govt. of Bihar, Patna.
2. The Transport Commisioner, Bishewesaraiya Bhawan, Bailey Road, Patna- 800001.
3. The District Transport Officer, Chapra, Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Mishra
For the Respondent/s : Mr. Standing Counsel 8

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

12 09-04-2025 The Government of Bihar, Transport Department vide letter No. 02/E. Transport-01/2020, Tr. 1720 dated 09.03.2020 has issued certain guidelines/ standard operating procedure for deletion of the challans.

2. It is the case of the petitioners that the challans have been issued without any proper verification. Moreover, there is no proof that the vehicles of the petitioners were overloaded and the authorities could not bring on record any document/ photograph to show that at the time of issuance of



the challans, the vehicles of the petitioners were overloaded by sand and in the counter-affidavit, it is specifically stated that as matter a pertains to the year 2020, the photographs are not available with the respondent authorities.

3. Having regard to the same, the petitioners are directed to give a representation to the Motor Vehicle Inspector/ Enforcement Sub Inspector for deletion of the challans within a period of two weeks from today and on receipt of the said representation, the same shall be forwarded to the District Transport Officer by the Motor Vehicle Inspector/ Enforcement Sub Inspector and thereafter, the District Transport Officer will submit a proposal to the headquarters. The State Transport Commissioner on receipt of the proposal by the District Transport Officer shall take necessary call for deletion of the challans. The authorities shall duly take into consideration the challans issued to the petitioners, there are no images showing the overloading of the vehicles and even in the counter-affidavit filed by the respondents, the same is accepted and they have stated that no images are available. The authorities shall take a pragmatic view of the matter and pass necessary orders. Till such time the authorities pass the orders, no coercive steps shall be taken against the petitioners.



4. With the above direction, the present writ petition
stands disposed of.

(A. Abhishek Reddy, J)

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