

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7061 of 2023

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Manoj Kumar Singh, Son of Late Krishna Prasad Singh, Resident of village-
Ausani, Police Station- Bagaha, O.P. Pathkhauri, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Transport Department,
Government of Bihar, Patna.
2. The District Magistrate, West Champaran at Bettiah.
3. The District Transport Officer, West Champaran at Bettiah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Zainul Abedin, Adv.
For the Respondent/s : Mr. Anil Kumar Singh (Gp 26)

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

14 17-07-2025 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 petitioner that the challans have
been issued without any proper verification. Moreover, there is no
proof that the vehicles of the petitioner 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
petitioner were overloaded by bricks and in the supplementary
counter-affidavit, it is specifically stated that no such types of
photographs had been taken at the time of issuing the challan for
overweight by the authority.

3. Having regard to the same, the petitioner is 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 fact that in the challans issued to the petitioner, there are no images showing the overloading of the vehicles and even in the supplementary 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 petitioner.

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

(A. Abhishek Reddy , J)

Bhardwaj/-

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