



CWP-26793-2022

1

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

(214)

CWP-26793-2022

Date of Decision : 14.11.2025

Vinod Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Anil Kumar Sharma, Advocate
Ms. Saroj Kumari, Advocate and
Mr. Vikash Yadav, Advocate
for the petitioner.

Mr. Kapil Bansal, DAG, Haryana.

KULDEEP TIWARI, J.(ORAL)

1. Through the instant writ petition, cast under Article 226/227 of the Constitution of India, a challenge is thrown to the challan dated 08.02.2021 (Annexure P-1 to Annexure P-15), and challan dated 09.02.2021 (Annexure P-16 to Annexure P-35), issued against the petitioner, under the Motor Vehicles Act, 1988, primarily, on the ground of overloading.

2. While referring to the details of the challan(s), as mentioned in Paragraph No.3, of the writ petition, learned counsel for the petitioner submits that perusal of the above said challan(s), would clearly reflect that within an hour, multiple challans *qua* multiple vehicle, has been issued, in a single day, only on the ground of overloading. He further submits that no efforts, on the part of Challaning Authority were made to get the weight measured, and thereupon, proceed further. Furthermore, in a single day, one

particular vehicle, cannot be challaned *qua* one violation, for multiple times,



therefore, the petitioner has to approach this Court, by filing the instant writ petition, by side tracking the statutory remedy, as available under the law.

3. This Court has examined the submissions as made by the learned counsel for the petitioner, and finds that the reasons for filing the instant writ petition, is in fact, inadequate, requiring this Court to invoke its inherent jurisdiction of issuing a writ. Therefore, the instant writ petition is a misconceived motion. However, the petitioner is at liberty to challenge the aforesaid challan(s) served upon him, by taking appropriate statutory remedy.

4. Since the petitioner has filed the instant misconceived and *bona fide* motion, before this Court, therefore, the delay, if any, caused in filing the statutory remedy, shall sympathetically be considered by the authority concerned, while deciding the appeal, if any, preferred by the petitioner. It is further made clear that in case, the petitioner takes statutory remedy, within a period of four weeks from passing of this order, the statutory authority concerned, shall make all endeavours to take a final decision, within a period of two months, thereafter.

5. It goes without saying that the decision (*supra*), shall be taken by the statutory authority concerned, after affording due opportunity of hearing to the petitioner.

6. Consequently, the instant writ petition is **disposed of**.

(KULDEEP TIWARI)
JUDGE

November 14, 2025
Manpreet

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No