



CWP-5934-2026

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

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CWP-5934-2026

Date of Decision: 27.04.2026

Gurbakhshish Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Uday Partap Singh, Advocate for the petitioner
(*through video conferencing*)

Mr. Ishan Kaushal, Assistant Advocate General, Punjab

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondent Nos.1 and 2 to suspend/cancel the statutory authorization granted to respondent No. 5. He is further seeking direction to respondent Nos.1 to 4 to conduct an inquiry into combine harvesters sold by respondent No.5 on or after 01.07.2023.

2. The petitioner is a Special Power of Attorney holder of the owner of one Shaktiman Combine Harvester bearing Registration No. PB-34-D-0582, Model Year 2023. The harvester is fitted with Chassis No.SAI930K002443 and Engine No.PGHM115941. It was manufactured by respondent No.5. TREM Stage-IV emission norms are applicable to combine harvesters w.e.f. 01.01.2023. It was inspected by Authorities and certain discrepancies were found in the manufacturer's identification plate which did not mention the engine model number. A separate plate was affixed on the engine which categorized it as '*non-emission*'. The manufacturer-



respondent No.5 has procured a large number of Ashok Leyland engines described as '*non-emission*'. It is fitting non-emission engines in gross violation of statutory prohibitions. The petitioner sent representation dated 08.12.2025 to respondent Nos.2 to 4 but to no avail. He, on earlier occasion, approached this Court by way of *CWP No.2960 of 2026* which was dismissed with liberty to file afresh.

3. Learned counsel for the petitioner, on being asked whether petitioner is concerned with vehicle purchase by him or with respect to all the vehicles manufactured by respondent, submits that petitioner is concerned with vehicle purchased by him.

4. On being asked reason of delay in approaching this Court, he submits that vehicle was actually purchased by someone else and he is a subsequent purchaser. He came to know about the deficiency in the vehicle when pointed out by Authorities, thus, there is no delay in approaching this Court. He further submits that there is violation of fundamental right i.e. right of livelihood of the petitioner, thus, this Court has jurisdiction to entertain present petition and determine loss caused to him.

5. On being asked, he confirmed that at present vehicle is not under seizure and no Authority has taken action against him. Vehicle is in use outside the State.

6. Heard the arguments and perused the record.

7. The petitioner has confirmed that the vehicle is not under seizure and no Authority has taken coercive action against him. In the

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absence of any adverse action by the State or its instrumentalities, no cause of action arises for exercise of writ jurisdiction.

8. The issues raised pertain to private rights and contractual obligations between parties. Writ jurisdiction under Article 226 cannot be invoked to adjudicate such disputes or to determine alleged loss suffered by the petitioner.

9. In the wake of above discussion and findings, this Court is of the considered opinion that present petition, at this stage, deserves to be dismissed and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

27.04.2026*Mohit Kumar*

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