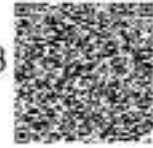


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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2026 PHHC 047286-DB



CWP-39756-2025 (O&M)

Date of Decision: 25.03.2026

Sarban Singh

...Petitioner

Vs.

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. Krishan Singh, Advocate for the petitioner.

Ms.Ambika Chaudhary, AAG, Punjab.

ASHWANI KUMAR MISHRA, J. (Oral)

CM-2297-CWP-2026

Application for placing on record reply on behalf of respondents

No.1, 5 and 6, to the main writ petition, is allowed, subject to all just exceptions.

CM-2326-CWP-2026

Application for placing on record reply on behalf of respondents

No.1, 5 and 6, to CM-961-CWP-2026 is allowed, subject to all just exceptions.

CWP-39756-2025 (O&M)

1. The petitioner is aggrieved by action of the respondents impounding his tractor-trolley on the alleged ground that illegal mining was being done by the petitioner.

2. Learned counsel for the petitioner submits that in terms of the State Policy permitting removal of sand from the flooded area, the petitioner was carrying sand for his own personal use. As per the petitioner, this was permissible in terms of the policy. Submission is that, in such circumstances, the vehicle owned by the petitioner could not have been seized.

3. Learned State counsel on the other hand, submits that such facts have not been highlighted before the concerned authorities and, therefore, filing of the writ petition, at the first instance, would not be appropriate course.

4. In that view of the matter, we permit the petitioner to approach 5th respondent at the first instance along with a copy of this order annexing all material in support of his claim, for release of his impounded tractor-trolley. The 5th respondent shall accord consideration to the petitioner's claim, as noticed above, and pass appropriate orders in accordance with law, within a further period of three weeks thereafter.

5. The writ petition stands disposed of with above observations.

6. All pending misc. application(s), if any, also stand disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

25.03.2026
rajesh

1. Whether speaking/reasoned?	:	Yes/No
2. Whether reportable?	:	Yes/No