



DELHI HIGH COURT BAR ASSOCIATION

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RESOLUTION

The Executive Committee of the Delhi High Court Bar Association expresses its deep concern and strong objection to the recent amendments to the Central Motor Vehicles Rules, 1989, governing the adjudication of traffic challans.

It is alarming that contested challans are now required to be initially adjudicated by the executive/departmental authorities rather than an independent judicial forum. Disputed questions concerning the facts, evidence and liability arising from a challan ought to be adjudicated by an independent judicial forum only.

The further requirement of depositing 50% of the challan amount as a pre-condition for approaching the competent court creates a substantial financial impediment to judicial remedy, particularly for ordinary citizens.

The provision for deemed acceptance of a challan upon failure to contest it within the prescribed period of 45 days is also unreasonable and will adversely affect persons facing difficulties in accessing digital platforms or understanding the prescribed procedure.

The Executive Committee recognizes the need for expeditious traffic enforcement, however, the same cannot come at the cost of fair adjudication and meaningful access to justice.

Therefore, the concerned authorities are called upon to reconsider these provisions and ensure that disputed challans remain subject to effective, independent and accessible judicial adjudication.

N. Hariharan, Sr. Adv
President

Vikram Singh Panwar
Hony. Secretary