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jdt.

14.06.2022
jb.

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

**W.P.A. 1024 of 2022
(Bharat Ispat vs. State of West Bengal & Anr.)**

**Dr. Navin Barik
Mr. Anup Kr. Bhattacharjee
Ms. Esha Acharya
... For the Petitioner
Mr. Hirak Barman
Mr. Bikramaditya Ghosh
... For the State**

Report in the form of affidavit filed by the respondents is taken on record.

Prayer 'b' of the petitioner in the writ petition is as follows:

“ b. A Writ of and/or Order and/or Direction in the nature of Mandamus directing the Respondent No. 2 being the Assistant Commissioner, Bureau of Investigation (North Bengal) Headquarters, Parivahan Nagar, Matigara, to immediately release the consignment of the petitioner that was transported in the vehicle being Truck No. BR09GA8181 engaged to carry the consignment after verification of the tax

invoice, e-way bill generated for the movement of the goods, consignment note issued by Abhishek Roadways after verification of the Chachis Number and Engine Number of the Truck under seizure with the Registration Certificate issued by the Motor Vehicle authority.”

It is contended on behalf of the petitioner that the original Registration Number being BR09GA8181 of the Truck is in the consonance with the Chassis number and the Engine Number and there is no discrepancy therein which prompted the respondent Authorities to impose penalty on the petitioner.

Learned counsel for the respondents concedes to prayer ‘b’ of the writ petition and submits that the Motor Vehicle Inspector may be directed to assist the respondent Authorities in inspecting the Truck and verifying the Registration Number of the Truck along with Engine Number and Chassis Number within a stipulated time frame.

Upon consideration of the submissions made on behalf of the parties and material on record, the writ petition being W.P.A. 1024 of 2022 is disposed

of directing the 2nd respondent to cause verification of the Truck bearing Registration Number BR09GA8181 along with the tax invoice, e-way bill, consignment note as well as Engine Number and the Chassis Number with the assistance of the Motor Vehicles Inspector within a week from date. In the event, the Registration Number is found to be in consonance with the Engine Number and Chassis Number, necessary steps be taken by the said respondents to release the goods, in accordance with law.

This order be communicated by the Department to the Motor Vehicles Inspector for rendering necessary assistance in such verification.

There shall be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J.)