

WPA 20988 Of 2021

02.01.2024

Sl no. 21

Ct no. 2

P.M.

UGI Engineering Works Private Limited & Anr.

- Vs -

The State of West Bengal Ors.

Mr. Suryaneel Das,
Mr. Chiranjit Pal

... for the petitioner

Mr. Anirban Ray, Ld. Govt. Pleader
Md. T. M. Siddiqui,
Mr. T. Chakraborty,
Mr. S. Sanyal

... for the State

Heard learned advocates appearing for the parties.

By this writ petition petitioner has challenged the impugned order of the appellate authority dated 7th October, 2021 dismissing the appeal of the petitioner and confirming the order in original imposing penalty for expiry of e-way bill period of which is more than thirty six hours.

The defence of the petitioner is ignorance of law which cannot be an excuse acceptable under the law. The petitioner for the first time has tried to make out a new case in this writ petition about breakdown of the vehicle in question.

I find on perusal of the impugned order of the appellate authority that the plea of breaking down of

the vehicle in question was not taken before the appellate authority .

When learned advocate appearing for the petitioner was asked to demonstrate such plea from the grounds of appeal, he failed. Since breaking down of the vehicle is a question of fact making for the first time before this Court which was neither taken before the adjudicating authority nor before the appellate authority I am of the view that this case has got no merit and accordingly this writ petition being WPA 20988 of 2021 is dismissed.

(Md. Nizamuddin, J.)