

WPA 25362 of 2024

**Balai Haldar
Vs.
The State of West Bengal & Ors.**

**Mr. Samrat Choudhury,
Ms. Dona Sanyal.
... for the petitioner**

**Mr. Amal Kumar Sen, Id. A.G.P.,
Mr. Lal Mohan Basu.
... for the State**

1. In compliance with this Court's earlier order, service has again been effected against the respondent nos. 3 and 4 and affidavit-of-service is filed in Court today.
2. None appears for the said respondents in spite of repeated service.
3. Hence, the matter is taken up in absence of respondent nos. 3 and 4.
4. Mr. Samrat Choudhury, learned counsel for the petitioner as well as Mr. Amal Kumar Sen, learned Additional Government Pleader are present.
5. The matter relates to the grievance of the writ petitioner that the respondent no. 4 has not accepted the amount of penalty to the tune of Rs.10,750/- (Rupees ten thousand seven hundred fifty) from him as against the challan dated September 4, 2020, on the ground of change of ownership of the vehicle, subsequent to the issuance of the challan as above, to the previous owner of the vehicle, from the said erstwhile owner to the present petitioner.

- 6.** Mr. Samrat Choudhury, learned counsel for the petitioner submits that the penalty as above, was imposed upon the erstwhile owner of the vehicle for the alleged statutory violation.
- 7.** It is further submitted that since thereafter, the vehicle has been handed over to the present petitioner. The present petitioner desires to submit the penalty amount as per challan as mentioned above.
- 8.** However, due to some technical or other laches on part of the respondent no. 4, the petitioner is unable to submit the penalty amount as above, as against the vehicle, now owned by him.
- 9.** Considering the facts of the case as above, it is found proper that the writ petition be disposed of by directing the respondent no. 4 to immediately accept the amount of Rs.10,750/- (Rupees ten thousand seven hundred fifty) under challan dated September 4, 2020 from the present owner of the vehicle that is, the writ petitioner and take all appropriate consequential steps, after remitting by him the penalty amount. Be it mentioned that the said respondent, shall be at liberty to issue a fresh challan, for the said purpose, as against the present petitioner, if required.
- 10.** Since no affidavit is invited, the allegations contained in the petition are deemed to have been denied by the respondents including the private respondents.
- 11.** With the above observations and directions, the writ petition being WPA 25362 of 2024 is disposed of, along with the pending applications, if any.

- 12.** Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Rai Chattopadhyay, J.)