

34 10-09-2025
AKG
Ct. 15

WPA 20620 of 2025

**DG Raj Highway Services, being a partnership firm, being represented
through Shri Dadan Prasad and Geeta Devi being the Partners
Vs.
Union of India & Ors.**

Mr. Saptarshi Roy,
Ms. Kakali Das Chakraborty
...for the Petitioner

Mr. Samarjit Roy Chakraborty,
Ms. Shaista Afreen
...for UOI

The petitioner is a transporter who dispatched a consignment through a leased-out wagon of Eastern Railway, from Agartala to Sealdah.

The initial weighment of the consignment was conducted on July 27, 2025, which revealed an excess weight of 1,950 kg.

Subsequently, the petitioner applied for re-weighment of the consignment under Section 79 of the Railways Act, 1989, and paid the requisite incidental charges.

Pursuant to an order passed in WPA 17679 of 2025 dated August 13, 2025, the Railway Authorities conducted the re-weighment on August 15, 2025.

During this re-weighment, the net weight was recorded as 24,340 kg, which was 610 kg less than the initial weighment.

As a consequence, the petitioner sought a refund of the penalty amounting to Rs.2,43,142/- from the Railway

Authorities by filing the present writ petition.

Learned counsel appearing for the Eastern Railway submits that the petitioner's request is currently under consideration.

In light of the above, there is no justification to keep this writ petition pending.

The Railway Authority should issue a consequential refund order in accordance with the weighment carried out on August 15, 2025.

Accordingly, this writ petition is disposed of with a direction to respondent no. 4 to take necessary steps in accordance with law within three weeks from the date of communication of this order as a consequence of the weighment exercise conducted by the Railway Authorities on August 15, 2025.

WPA 20620 of 2025 is accordingly disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)