

WPA 5445 of 2026

**Dipali Mahato
Vs.
The State of West Bengal & Ors.**

Mr. Firdous Samim
Ms. Gopa Biswas
Mr. Hazanuz Zaman Molla
Mr. Moinak Ghosal
Mr. Ayush Majumder
Mr. Asik Mondal

...for the petitioner

Mr. Shuvro P. Lahiri
Ms. Suchata Banerjee

...for the State

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. By filing this writ petition petitioner prays for release of vehicle bearing registration no. WB-81-1914 (dumper) from the custody of Kenda Police Station, Purulia.
3. Preliminary allegation against the owner of the aforesaid vehicle was loading of sand on the said vehicle beyond permitted capacity as per Government challan. Subsequently on 27th November, 2025 Kenda Police Station received one email letter from ARTO Manbazar whereby the said police authority was requested to retain the vehicle until challan is prepared by that office. The issue was also communicated

to RTO, Purulia and the steps were being taken.

4. Meanwhile, learned Chief Judicial Magistrate, Purulia disposed of Miscellaneous Petition case no. 104/2025 and an order was passed observing the contention of the petitioner that Officer-in-Charge, Kenda Police Station illegally detained the aforesaid vehicle was not sustainable. Therefore, it was decided by the learned Chief Judicial Magistrate, Purulia that there was no fault on the part of the concerned authority of Kenda Police Station to detain the vehicle of the petitioner. However, on 21st January, 2026 ARTO Manbazar by sending email with challan informed the concerned authority of Kenda Police Station that challan amount was not realized from the petitioner and vehicle may be released only after production of paid challan.
5. In the communication dated 16th March, 2026, a copy of the communication vide email letter dated 21st January, 2026 is annexed.
6. In view of aforesaid scenario as disclosed in the communication dated 16th March, 2026 it transpires unless in terms of email letter dated 21st January, 2026 of ARTO Manbazar challan amount is paid by the petitioner, prayer of the

petitioner to release the vehicle ought not to be entertained.

7. Learned advocate representing the petitioner prays for liberty to challenge such communication of ARTO Manbazar dated 21st January, 2026 including connected challan.
8. In the present writ petition since communication dated 21st January, 2026 of ARTO Manbazar and the connected challan is not questioned the writ petition is dismissed. However, this order will not preclude the petitioner to take steps in accordance with law by questioning the email communication dated 21st January, 2026 of ARTO Manbazar and the connected challan.
9. Copy of the communication along with necessary documents including challan are made over to the learned advocate representing the petitioner.
10. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)