

Sl.19
13.01.2026
Court No.19
BP

WPA 28426 of 2025

Rusmi Deyashi
-versus-
The State of West Bengal & Ors.

Mr. Sabyasachi Chatterjee
Mr. Pintu Karar
Ms. Meghna Chowdhury
..for the petitioner

Mr. Amal Kumar Sen, Ld. Additional Advocate General
Ms. Ashima Das (Sil)
..for the State

Mr. Prosenjit Mukherjee
Mr. Arghya Kamal Das
Mr. Samrat Banerjee
..for the private respondent no.11

Affidavit of service filed in Court today is taken on record.

The petitioner claims to be the registered owner of vehicle no. WB 17 6464, a 6-wheeler goods vehicle. The petitioner claims that the said vehicle is used for carrying sand on the strength of valid system-generated e-challans. On November 21, 2025 while the aforesaid vehicle of the petitioner was carrying sand on the basis of e-challans for 280 sq ft. of sand, such vehicle was intercepted within the jurisdiction of Block Land and Land Reforms Officer, Chanditala-I. A penalty was imposed on the ground that the vehicle in question was carrying sand more than the permissible limit under the e-challans resulting in locking of the system generating e-

challans consequently restricting generation of e-challans for the purpose of transportation of sand.

Mr. Chatterjee, learned advocate appearing for the petitioner submits that the petitioner was carrying sand well within the limit permitted by the e-challans. The petitioner submitted a representation dated 1st December, 2025 before the respondent authority praying for unlocking the system thereby permitting generation of e-challans for the purpose of transportation of sand by the said vehicle.

Mr. Sen, learned Additional Advocate General submits that after interception of the said vehicle the measurement of the volume of sand was taken and it was found that the vehicle in question was carrying sand more than the permissible limit under the e-challans. He submits that necessary papers have been forwarded to the Additional District Magistrate and District Land and Land Reforms Officer, Hooghly for taking a decision with regard to the prayer of the petitioner for unlocking the system to enable generation of e-challans.

The learned advocate appearing for the 11th respondent submits that the 11th respondent only authorized the petitioner to carry sand within the limit permissible under the e-challans.

After hearing the learned advocates for the respective parties this Court finds that the disputed question of fact as to the quantum of sand that the

vehicle was carrying is involved in this writ petition. A dispute as to measurement of sand that the vehicle was carrying at the time of interception and whether the same was in excess of the limit permitted under e-challans are disputed question of fact which should be left open for the authority to decide.

In view thereof, WPA 28426 of 2025 stands disposed of by directing the Additional District Magistrate and District Land and Land Reforms Officer, Hooghly being the 5th respondent to consider the representation of the petitioner dated 1st December, 2025 for unlocking the system to enable future generation of e-challans for the vehicle in question and to dispose of the same by passing a reasoned order after giving an opportunity of hearing to the petitioner or her authorized representative and any other authority whose presence may be necessary for the purpose of deciding the dispute raised in the representation dated 1st December, 2025. It is, however, made clear that it will be open to the petitioner to produce relevant materials in support of her claim and the materials that may be used by the authorities against the petitioner should be supplied to the petitioner well before the date of hearing fixed for such purpose. The reasoned order shall be communicated to the petitioner as expeditiously as possible but positively within a period of three weeks from the date of receipt of a server copy of this order along with a copy of the representation dated

1st December, 2025. The other respondent authorities are directed to forward all necessary materials and papers in connection with the matter in issue before the 5th respondent forthwith.

There shall be however no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)