



IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) No.7388 of 2026

Durga Charan Pradhan

....

Petitioner

Mr. U.K. Samal, Sr. Advocate

-versus-

***State of Odisha, represented through its
Principal Secretary, Home Department
and Others***

....

Opposite Parties

Mr. U.R. Jena, AGA

CORAM:

SHRI JUSTICE B. P. ROUTRAY

ORDER

25.3.2026

Order No.

- 03.
1. Heard Mr. U.K. Samal, learned senior counsel for the petitioner and Mr. U.R. Jena, learned AGA for State – opposite parties.
 2. It is submitted on behalf of the petitioner that the demand notice of compounding fee dated 26th February, 2026 at Annexure-6 for alleged carrying of illegal sand is not correct for the reason that the vehicle in question, i.e. tractor trolley bearing registration number OD-05-BZ-1921, was engaged by Tata Projects Limited for transportation of construction materials including sand stacked at a distance of 300 meters (approximately) from the project site. In this regard, the authorization letter dated 16th March, 2026 is produced at Annexure-8.
 3. It is further submitted on behalf of the petitioner that since the place, where the construction materials have been stacked temporarily, is an agricultural land and water logged, where trucks or Hyvas cannot operate, this tractor was engaged for transportation of those materials from the temporary place to the project site.



4. Upon hearing both parties and considering the submissions, the writ petition is disposed of granting liberty to the authorities to proceed in accordance with law in respect of the vehicle in question. However, without prejudice to the contention of the petitioner, in the event he deposits a sum of Rs.10,000/- (ten thousand only) in cash and the rest amount as property security in respect of the demanded amount as per Annexure-6, before the authority within a period of 15 days from today along with certified copy of this order and a copy of the writ petition, his vehicle may be released in his favour as an interim measure, subject to final decision to be taken by the authority.

5. An urgent certified copy of this order shall be issued on proper application.

(B.P. Routray)
Judge

M.K.Panda