IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.7961 of 2025

Sufia Sultana ..... ***Petitioner***
Mr. B. M. Sarangi,
Advocate

-versus-

Chairman, State Transport Authority, Cuttack ..... ***Opposite Party***
Mr.Pravakar Behera,
Standing Counsel for
Transport Department

CORAM:
THE HON'BLE DR. JUSTICE S. K. PANIGRAHI

ORDER
24.03.2025

Order No.

01. **1**. This matter is taken up through hybrid arrangement.

2. The Petitioner in this Writ Petition prays for a direction to send the e-Challan/VCR dated 05.01.2023 (Annexure-1) in respect of the vehicle bearing Registration No.OD-02-A-9367 (Bus) to the jurisdictional Magistrate for appropriate relief. He further prays for a direction to the Opposite Party to consider his case for issuance of fitness certificate and permit.

3. Mr. Pravakar Behera, learned Standing Counsel for Transport Department submits that in view of violation of the provisions of the Motor Vehicles Act, 1988, the petitioner is required to appear before the Authority, who

Signature Not Verified
Digitally Signed
Signed by: GITANJALI NAYAK
Reason: Authentication
Location: OHC
Date: 24-Mar-2025 18:08:02

has issued the VCR and pray for transmission of the record to the jurisdictional Magistrate, if he wants to contest the case. The petitioner has not yet appeared before the authority and made such prayer. Since the Challan/VCR amount is Rs.20,000/-, the petitioner may be directed to deposit 50% of the same and contest the case before the jurisdictional Magistrate.

4. Taking into consideration the submissions of learned counsel for the parties, this Court directs that without prejudice to the case of either party, in the event the Petitioner deposits 50% of the VCR amount, i.e., Rs.10,000/- (Rupees Ten Thousand Only) before the Opposite Party, the e-Challan/VCR shall be transmitted to the jurisdictional Magistrate for adjudication in accordance with law, if not already transmitted. It is made clear that such deposit, if made, as directed above, shall be subject to the result of the adjudication to be made by the jurisdictional Magistrate.

5. So far as issuance of fitness certificate and permit is concerned, the Petitioner may apply for the same to the Opposite Party by filing necessary application, which shall be considered in accordance with law.

Signature Not Verified
Digitally Signed
Signed by: GITANJALI NAYAK
Reason: Authentication
Location: OHC
Date: 24-Mar-2025 18:08:02

6. With the aforesaid observation and direction, the Writ Petition is disposed of.

7. Urgent certified copy of this order be granted on proper application.

(Dr. S. K. Panigrahi)
Judge

Gitanjali

Signature Not Verified
Digitally Signed
Signed by: GITANJALI NAYAK
Reason: Authentication
Location: OHC
Date: 24-Mar-2025 18:08:02