



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 22684 of 2025

Bholasankar Mukhi

....

Petitioner(s)

Mr. Bibhuti Bhusan Mishra, Adv.

-versus-

State of Odisha & Anr.

....

Opposite Parties

Mr. Rajdeep Pradhan, ASC

Mr. Pravakar Behera, SC

(for Transport Department)

CORAM:

DR. JUSTICE SANJEEB K. PANIGRAHI

ORDER

20.08.2025

Order

No.

01. 1. This matter is taken up through hybrid arrangement.
2. Heard learned counsel for the parties.
3. The present Writ Petition has been filed by the Petitioner with the following prayer:

"It is prayed therefore that this Hon'ble Court may be graciously pleased to;

i) Issue notice to the Opposite Parties;

ii) Call for the records;

iii) Issue Rule Nisi, calling upon the opposite parties to show cause as to why the Opposite Parties shall not be directed to transmit the VCRs under Annexure-2series to the Court of

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learned J.M.F.C.(Transport), Cuttack to disposed off the same as per law, keeping in view the Judgment of the Hon'ble Court in Anjana Babulal Darabad case dated 15.01.2014 and vide order dt.14.07.2025 passed in WP(c) No.17838 of 2025 within a stipulated time And if the Opposite Parties did not show cause or show insufficient cause, the writ may be made absolute and a writ of mandamus may be issued to the Opposite Parties, particularly to the Opposite Party No.2 to transmit the VCRs to the court of learned J.M.F.C. (Transport), Cuttack within a stipulated time for its disposal as per law; And further be pleased to pass any appropriate writ(s), order(s), direction(s) as this Hon'ble Court may deem fit and proper for the ends of justice in favour of the petitioner;"

4. Learned counsel for the Petitioner submits that this Court has earlier decided the similar issue in the judgment dated 15.01.2014 passed in W.P.(C) No.1500 of 2004 (**Anjana Babulal Darabad vs. Commissioner, S.T.A. & Ors.**) and batch of Writ Petitions. Hence, he submits that this Writ Petition may be disposed of in the light of the judgment passed in the case of **Anjana Babulal** (supra).

5. Learned counsel for the Opposite Parties submit that they have no objection, if this matter is disposed of in the light of the judgment passed in the case of **Anjana Babulal** (supra).

6. On perusal of the records and the judgment passed in the case of **Anjana Babulal** (supra), it appears that similar issue has





already been decided by this Court in the said judgment which was disposed of on 15.01.2014. The ordering portion of the said judgment is as follows:

“ xxx xxx xxx

v) Pending such approval, direction is hereby given to the OMVD Officers issuing the VCR to direct the driver/owner/person in possession and control of motor vehicle either compound the offence on payment of prescribed fine offline/online or to appear before the STA/RTA and produce the demanded documents for disposal of VCR within fifteen days, failing which the VCR issuing officer will submit prosecution report before the court having jurisdiction, namely, Transport Magistrate/J.M.F.C./ S.D.J.M. for adjudication of the VCR within fifteen days from the date on which compounded fine was to be paid. The Transport Magistrate/ JMFC/SDJM may allow compounding of the offences, strictly in conformity with the Gazattee Notification No. No.1151 dated 29.09.1995. As prescribed under Rule 139 of C.M.V. Rules, 1989, the owners/driver/conductor may also send Xerox coy of R.C./I.C./Permit/D.L. and any other relevant documents duly attested by Police Officer or any other officer to the officer who demanded the documents by registered post within fifteen days from the date of issue of VCR.

xx x xx x x ”

7. Considering the submissions made by the learned counsel for the parties and taking into account the judgment passed in the





case of *Anjana Babulal* (supra), this Writ Petition is disposed of directing the Opposite Party No.2 to transmit the V.C.Rs under Annexure-2 series in respect of vehicle No. OD-05-AJ-5403 to the court of learned J.M.F.C. (Transport) Cuttack for disposal as per law.

8. Accordingly, this Writ Petition is disposed of.

(Dr. Sanjeeb K. Panigrahi)
Judge

Murmu

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