



IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) No.37064 of 2025

Swarupa Nanda Pati

....

Petitioner

Mr. B.B. Panda, Advocate

-versus-

State of Odisha, represented through its

....

Opposite Parties

Commissioner-cum-Principal

Secretary, Mines Department and

Others

Mr. G. Tripathy, AGA

CORAM:

SHRI JUSTICE B. P. ROUTRAY

ORDER

24.2.2026

Order No.

- 04.
1. Heard Mr. B.B. Panda, learned counsel for the petitioner and Mr. G. Tripathy, learned AGA for State – opposite parties.
 2. The petitioner’s grievance is against seizure of his vehicle, i.e. Hyva bearing registration number OD-19-E-9819 (loaded with sand) by the Mining Officer, Kendrapara. It is submitted by the petitioner that though the vehicle had the valid permit under Annexure-5, but the authorities have illegally seized it for alleged transportation of illegal sand.
 3. As seen from record, the permit granted in favour of the vehicle is valid from 12th December, 2025, 07:50:37 PM till 13th December, 2025, 05:50:37 AM. Admittedly the interception of the vehicle took place on 12th December, 2025 at 08:01 PM at Karilopatana as per the GPS location shown under Annexure-B/2. According to the Mining Officer (O.P. No.4), the vehicle of the petitioner was transporting illegal sand from any other place near Karilopatana because it is not



possible on the part of the vehicle to reach Karilopatana from Kolar, which is about 21 kilometers distance, within 11 minutes.

4. Having considered the submissions made by both parties and the circumstances of the case, the writ petition is disposed of permitting the petitioner to approach the competent authority the since matter is found involving disputed questions of fact.

5. At this stage, it is submitted by the petitioner that consequential proceeding under the Odisha Minor Mineral Concession Rules, 2016 is pending in respect of the vehicle and the vehicle may be released in his favour subject to deposit of 50% of the penalty amount.

6. Accordingly, it is directed that in the event the petitioner deposits 50% of the penalty charged against the vehicle, as per the challan under Annexure-E/2 dated 2nd January 2026, the vehicle may be released in his favour without prejudice to the contentions of the parties and subject to the final decision to be taken by competent authority.

(B.P. Routray)
Judge