

04.11.2025
Item No.5
Ali
ct. no.10

WPA 15635 of 2025

**Sangeeta Rustogi
Vs.
Union of India & Ors.**

Mr. Saptarshi Roy,
Ms. Kakali Das Chakraborty
..... for the petitioner.

Mr. Samir Kr. Datta,
Ms. Ranjana Chatterjee
.....for the Union of India.

1. The parties have represented through their respective learned counsels.
2. The present writ petitioner in the instant case is a registered leaseholder in Indian Railways. In the said writ petition the writ petitioner has challenged, inter alia, the arbitrary and unlawful imposition of punitive charges by the South Eastern Railway.
3. Apropos the facts of the case, the petitioner leased a 24-tonne Parcel Van attached to Train No. 12246 (Duronto Express), challenging the arbitrary and unlawful imposition of a punitive overloading charge of Rs.47,057/- by the South Eastern Railway on 03.07.2025.
4. Being aggrieved by such action of the Railway authorities the writ petitioner has filed the instant writ petition praying, inter alia, for quashing and setting aside the impugned punitive payment of Rs. 47,057/-, and not to take any coercive measure in

respect of which the petitioner was compelled to pay under protest on 18.07.2025.

5. Learned counsel appearing for the Railway authorities seeks time to file affidavit-in-opposition. The affidavit-in-opposition shall be filed within a period of two weeks from date. Reply/exception thereto, if any, be filed by the petition within a week thereafter.
6. Let the matter appear on **27th November, 2025** under the same heading on top.
7. However, it is made clear that in the mean time, the Railway authorities shall not take any coercive measures till 30th November, 2025, with regard to the letter dated 18.07.2025 as annexed to the supplementary affidavit affirmed on 24th July, 2025. The advance copy of the report shall be served upon the petitioner for taking an exception.

(SMITA DAS DE, J.)