

14 04.12.19
akb Ct. No. 2

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

W.P.A. 583 of 2019
Suman Saha
-Versus-
The State of West Bengal & Ors.

Mr. N.I. Khan
Mr. Debajit Kundu **...For the Petitioner**

Mr. Subir Kumar Saha
Ms. Paramita Sahu **...For State Respondents**

This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by the inaction on the part of the respondent authorities in not granting a stage carriage permit.

The case of the petitioner is that in spite of his application being made the permanent permit has not been granted by the respondent authorities. On the last occasion on November 11, 2019 an opportunity to file a report of the Secretary, Regional Transport Authority, Darjeeling/Siliguri was granted. The report is filed in Court today. The same is kept with the record.

The report of the Secretary, RTA Darjeeling/Siliguri is self-explanatory and states that for the permit to be granted to the petitioner the application is required to be made before the Regional Transport Authority, Jalpaiguri. However, in the present case the petitioner filed his application before the Regional Transport Authority, Darjeeling.

In the light of the above submission, I direct the petitioner to make a fresh application before the Regional Transport Authority, Jalpaiguri within a period of seven days from date. If such application is made by the

petitioner, the Regional Transport Authority, Jalpaiguri is directed to accept such application of the petitioner and act on the same expeditiously in accordance with law.

With the aforesaid observation, the writ petition is disposed of.

Since, no affidavit-in-opposition has been called for, the allegations made in the writ petition are deemed to have not been admitted by the respondents.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties, on priority basis.

(*Shekhar B. Saraf, J.*)