

3 05.12.19
akb Ct. No. 2

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

W.P.A. 788 of 2019

**Prakash Sarkar & Ors.
-Versus-
State of West Bengal & Ors.**

Mr. Milindo Paul ...For the Petitioners

**Mr. Hirak Barman
Mr. Bikramaditya Ghosh
Ms. Bedashruti Bose ...For State Respondents**

**Mr. Kumar Santanu
Mr. Debajit Kundu ...For Respondent No. 8**

This is an application under Article 226 of the Constitution of India wherein the writ petitioners is aggrieved by the inaction on part of the respondent authorities in not considering his representation dated September 20, 2019.

It is to be noted that by an order dated September 03, 2019 a coordinate Bench of this Court had directed the respondent authorities to consider the application to be made by the petitioners for registration of e-rickshaws.

Subsequently, the petitioners made an application and supplied documents that were in their possession. However, on September 19, 2019, the respondent authorities wrote to the petitioner seeking certain documents which were required for the purpose of granting such registration. The petitioners replied and made further representation on September 20, 2019 indicating their inability to provide certain forms that were to be obtained by the dealers.

It is undisputed from the record that no reply to the said representation dated September 20, 2019 has been issued by the respondent authorities.

I have heard learned Counsel appearing on behalf of the parties and perused the materials placed on record.

In the light of the above, I direct the Regional Transport Authority, being the respondent No. 5 to consider the representation of the petitioners after giving an opportunity of hearing to the representative of the petitioners, and thereafter, pass a reasoned order within a period of four weeks from the date of communication of this order.

Respondent No. 5 is further directed to communicate the reasoned order to the petitioners within a week from the date of passing the reasoned order.

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.)