

ORDER SHEET W.P.No.22 of 2019
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

SUBHAJIT GHOSH
Versus
THE STATE OF WEST BENGAL & ORS.

BEFORE:

The Hon'ble JUSTICE ARINDAM SINHA

Date : 29th January, 2019.

Appearance:
Mr. Bhaskar Nandi, Adv.
...for the Petitioner.
Mr. T.M. Siddiqui, Sr. Govt. Adv.
Mr. Paritosh Sinha, Adv.
Mr. Nilotpal Chatterjee, Adv.
...for the Respondents.

The Court:-Mr. Nandi, learned advocate appears on behalf of petitioner whose application for obtaining ordinary permit in route from Mecheda to Karunamoyee Bus Stand via Kolaghat was approved under agenda 62 serial 48 in meeting dated 9th March, 2018 of State Transport Authority (STA). By this writ petition, petitioner seeks relief of issuance of this permit as was wrongfully denied by imposing of new condition by clause 2(a) in offer letter dated 22nd November, 2018 of STA requiring petitioner to produce BS-IV compliant vehicle.

Mr. Siddiqui, learned advocate, Senior Government Advocate appears on behalf of State and submits, Supreme Court had made directions in **order dated 29th March, 2017** on applications made in **Writ Petition (civil) 13029 of 1985 (*M.C. Mehta Vs, Union of India & Ors.*)**. One of the directions of Supreme Court was that on and from 1st April, 2017 such vehicles that are not BS-IV compliant shall not be sold in India by any manufacturer or dealer. It is for compliance of this direction that term by clause 2(a) said offer letter was introduced. He submits, in the facts and circumstances, Court makes appropriate direction.

STA is directed to issue ordinary permit to petitioner in terms of resolution on agenda 62 serial 48 in its meeting held on 9th March, 2018. The permit should be issued within a period of two weeks from date of communication of this order.

Writ petition is disposed of.

(ARINDAM SINHA, J.)