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12.03.2020
PP.

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

WPA 585 of 2020

Pranab Sarkar
-versus-
The State of West Bengal & Ors.

Mr. Arup Ratan Choudhury
....for the petitioner.

Mr. Subir Kumar Saha,
Mr. Ankan Mitra
....for the State.

Pursuant to the order dated 11th March, 2020, the Deputy Field Director (East), Buxa Tiger Reserve, namely Mr. Harish (respondent no.3) is personally present in Court. He has been explained the matter for which he was asked to appear with the assistance of the Additional Government Pleader representing the State.

The State respondent has assured the Court that Mr. Harish will personally look into the matter. On such assurance, his personal appearance is dispensed with.

By a memo dated 6th December, 2019, the respondent no.3 had issued certain directions to the Range Officer, North Raydak Range, Buxa Tiger Reserve (East) Division, being the respondent no.4, a copy whereof is annexed at page 37 (Annexure - 'P-4') of the writ petition. Clause 4 of the said memo speaks about the issuance of transit pass, which the petitioner complains of, has not been issued despite his request made on 16th January, 2020, being Annexure - 'P-5' at page 38 of the writ petition.

The petitioner shall meet the respondent nos.3 and 4 within a period of 10 days from date and complete the necessary formalities including the application in prescribed format with requisite fees as required under law for issuance of Transit Pass. The application by the petitioner has to be made mandatorily within a period of 15 days from date.

The respondent no.3 or 4, whoever is the authorised person to deal with the issuance of transit pass, shall, within a fortnight from the date of the petitioner making the application in prescribed format, dispose of the petitioner's application, if required by giving the petitioner a personal hearing. In the event, the respondent no.3 or 4, as the case may be, disallows the issuance of the transit pass, proper reasons should be assigned for such rejection and the same should be communicated to the petitioner immediately.

Needless to mention that the petitioner, in the event is issued transit pass in his favour, shall abide by all the legal formalities and rules regarding transportation of Khair trees, being the subject matter of the writ petition.

The writ petition is disposed of accordingly.

There shall be no order as to costs.

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

(Arindam Mukherjee, J.)