

04.02.2021

BP
Sl. 11

WPA 2570 of 2021
(Via Video Conference)

Somenath Dutta & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Subrata Mukhopadhyay
Mr. Samit Sanyal
Ms. Basabi Rai Chowdhury
Mr. Bandhu Brata Bhula
..for the petitioners.

Mr. Amal Kumar Sen, AGP
Mr. Lal Mohan Basu
..for the State.

Mr. Arun Kanti Bera
Ms. Gitashree Mistry
..for the respondent no.6.

The grievance of the petitioners is that while issuing directions the State authorities are not following their own policy which has been published some time in 2018, a draft notification whereof has been annexed as Annexure P-2 of the writ application. The specific case is that when there are stages for granting permits as serial no.85, 86 and 87 of the said document being Annexure P-2, the State authorities are granting permit for a much longer route. Learned advocate has drawn

my attention to Annexure P-4 which is an offer letter for grant of contract carriage permit in the route Ultadanga Station to 1 No. Airport Gate for auto rickshaw. From the draft notification it is found that three stages have been declared as has been mentioned in serial nos. 85, 86 and 87 in the said draft notification dated 11th June, 2018.

Learned advocate for the State authorities has fairly submitted that this draft notification was finally published subsequently with almost a similar subject dealt with in the draft notification. He further submits that the petitioners have not sent any representation to the appropriate authority till date so that the matter can be looked into. The representation being Annexure P-5 at page 47 is in respect of one Biplab Modak who is not a party to this writ application and he further submits that none of the addresses of the said representation dated 21st January, 2020 are the appropriate authorities who can consider the representation, if any, made by the petitioners in this regard.

After considering the submissions of the parties and after going through the documents annexed to the writ application including the pleadings of the writ application, I direct the petitioners to file one comprehensive representation to the Secretary,

Regional Transport Authority, North 24 Parganas, Barasat who according to the learned advocate for the State authority is the appropriate authority to look into such matter within a period of four weeks. On receipt of such representation the said Secretary will grant opportunity of hearing to the petitioners and/or their authorised representatives before deciding the matter. Such opportunity of hearing is to be given by four weeks from the date of receiving of the said representation.

The decision in respect of the said representation is to be taken by three weeks thereafter and the decision is to be communicated to the petitioners within a period of two weeks thereafter.

With the above direction, this writ application is disposed of.

(Abhijit Gangopadhyay, J.)

