

Ct.
No.
26

48
akb

05.8
2021

W.P.A. 3361 of 2020

Malay Ghora

-Versus-

State of West Bengal & Ors.

Mr. Sanat Kumar Roy
Mr. Abhishek Banerjee

...For the Petitioner

Mr. Srijan Nayak
Ms. Rituparna Maitra

...For the State Respondents

Supplementary affidavit filed by the petitioner in Court today be kept with the record.

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 accepting his application form and fees for granting of permit (auto ricksaw).

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

It appears that the application form has now been accepted by the Department. However, learned Counsel appearing on behalf of the Department submits that the fees are not required to be paid and the petitioner shall make the payment of fees, if upon consideration, his application is accepted.

In light of the above, the department is directed to consider the application filed by the petitioner upon granting an opportunity of hearing to the petitioner within a period of four weeks from date and thereafter, pass a reasoned order on the same. The reasoned order shall be communicated to the petitioner within a period of one week from the date of passing of the same.

In the event, petitioner's application is accepted,

the department will take the fees at once from the petitioner and act in accordance with law.

With these observations, 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, upon compliance of all formalities, on priority basis.

(Shekhar B. Saraf, J.)