

17.08.2021

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(Via Video Conference)

W.P.A. 2742 of 2008

Ajay Das

Vs.

State of West Bengal & ors.

Mr. Soumen Bhattacharjee

... for the petitioner

Mr. Asish Kumar Guha

Mr. Naren Ghosh Dostidar

... for the State

The petitioner prays for consideration of his application for contract carriage permit in the Route No. 170 i.e. Bandel Railway Station to Mogra BDO Office via Adisaptagram. The application was made on August 26, 2004.

In view of the restriction imposed by the State of West in its Notification dated August 2, 2004 followed by notification dated 29th January, 2010 the application of the petitioner was not considered favourably.

Thereafter, the State of West Bengal Vide Notifications dated December 18, 2018 and December 26, 2018 has withdrawn the restriction imposed for grant of permits.

The petitioner seeks consideration of his application made in the year 2007 by making representation before the respondent authorities on February 6, 2020 as the bar restricting grant of permit within the Kolkata Metropolitan Area has been withdrawn by the State of West Bengal.

A direction for consideration of the application of the petitioner made in the year 2004 ought not to be allowed in the year 2021.

Accordingly, the petitioner will be at liberty to make fresh application for grant of contract carriage permit in the route of his choice. In the event, such an application is made, steps shall be taken by the respondent authorities for consideration of the same strictly in accordance with law, within a period of four months from the date of making of the said application. The fate of the application of the petitioner shall be intimated to him immediately after consideration of his application.

With the above observations, this writ petition is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

(Shekhar B. Saraf, J.)