

Item No.2

In The High Court At Calcutta
Constitutional Writ Jurisdiction
(via video conference)

14.06.2021
Ct-24

WPA 4592 of 2020
Sri Debabrata Dutta
v.
The State of West Bengal & Ors.

Mr. Ram Uday Bhattacharya
Mr. Soumen Bhattacharya
... for the petitioner.

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

The petitioner filed an application for grant of contract carriage permit in the Route Khadinamore to Paltaghat via Taldanga etc. in the year 2007 along with the requisite fees.

According to the petitioner his application could not be considered in view of the bar imposed by the State of West Bengal published in the Kolkata Gazette Notifications dated August 2, 2004 and 29th January, 2010.

The petitioner relies upon subsequent notifications dated December 18, 2018 and December 26, 2018 of the Government of West Bengal whereby the bar imposed had been withdrawn.

The petitioner prays for consideration of his application as the bar restricting grant of permit within the Kolkata Metropolitan Area has been withdrawn by the State of West Bengal.

The petitioner made a representation before the respondent authorities on 6th February, 2020 and seeks for consideration of his application made in the year 2007.

A direction for consideration of the application of the petitioner made in the year 2007 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 the said application. The fate of the application of the petitioner shall be intimated to him immediately after consideration of his application.

WPA 4592 of 2020 stands disposed of.

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

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(Amrita Sinha, J.)