

05.08.2021

ss

W.P.A. 11792 of 2021

Ashis Kumar Goswami

Vs.

State of West Bengal & ors.

Mr. Sattwik Bhattacharya

Mr. Aashutosh Bhattacharya ... For the petitioner

Mr. Amal Kr. Sen, Ld. A.G.P.

Mr. Jaladhi Das ... For the State

Affidavit of service filed 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 of the respondent authorities in considering his prayers for extension and curtailment vide his letter dated February 2, 2021. The petitioner relies on an order passed by the State Transport Authority dated November 29, 2019 wherein a similar prayer had been granted to another individual.

Mr. Sen, learned Additional Government Pleader appearing on behalf of the State submits that the prayer for extension/curtailment cannot be granted by the permit issuing authority without the consent of the reciprocal State. He relies on a single Bench judgement of Justice Dipankar Dutta in **W.P. 13661(W) of 2013** to buttress his argument.

I have heard learned Counsel for the appearing parties and perused the materials on record.

Upon perusal of the documents it appears that the authorities themselves have acted contrary to the single Bench order and granted permit to an individual. Such grant indicates that the prayer of the petitioner is very much legitimate and accordingly, his prayer should be considered.

In light of the above, I direct the authority concerned to grant an opportunity of hearing to the petitioner and thereby pass a reasoned order within a period of four weeks from date and the reasoned order is to be communicated to the petitioner one week thereafter.

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

Since no affidavit-in-opposition is called for, allegations made in the writ petition are deemed not to have been admitted.

(Shekhar B. Saraf, J.)