

S/L 5
14.9.2021
Court No.26
SD

WPA 14024 of 2021
(Via Video Conference)

Mostabari Mondal & Ors.
Vs.
The State of West Bengal & Ors.

Mr. N.I. Khan
Mr. Amlan Kumar Mukherjee

...for the Petitioners.

Mr. Amal Kumar Sen
Mr. Jaladhi Das

...for the State/Respondent.

By a resolution of the RTA Board dated September 23, 2019, the petitioners were offered contract carriage permits for auto rickshaws on certain terms and conditions.

Mr. N.I. Khan, counsel appearing on behalf of the petitioners submits that the route has certain practical difficulties and the same have been stated to the R.T.A. by letter dated November 13, 2019. In the said letter, the petitioners have prayed that the route may be changed slightly so that all the practical difficulties are removed.

Mr. Amal Kumar Sen, counsel appearing on behalf of the respondent authorities submits that before the R.T.A. Board the petitioners had submitted an undertaking and aggrieved on the modified route for which offers were made to them. However, in all fairness, he submits that if fresh applications are made by the petitioners, the same can be considered by the authorities.

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

This writ petition is disposed of with a direction given upon the respondent authorities to consider the fresh application, if made, with a viable option given by the petitioners. The authority concerned shall decide the matter within a period of four weeks from the date of making fresh application by the petitioners after granting an opportunity of hearing to the parties.

I make it clear that the requisite fees for the application need not be paid at the time of making the application. However, if the fresh offer letter is issued by the authority concerned, petitioners shall pay the application fees.

There shall 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.)