

S/L No.33

05.10.2021
Ct-26
(AD)

(Through Video Conference)

WPA 15650 of 2021

Surojit Ghosh

vs.

The State of West Bengal & Ors.

Mr. N.I. Khan

Mr. Barun Kumar Samanta

...for the Petitioner.

Mr. Amal Kumar Sen

Mr. Swapal Kumar Paul

... for the State.

Pursuant to an order dated February 2, 2021 passed by a coordinate Bench of this High Court in WPA 2820 of 2021 (Surojit Ghosh vs. The State of West Bengal & Ors.), the State authorities carried out an investigation that has been minuted in the board meeting resolution dated August 10, 2021.

Mr. Amal Kumar Sen, counsel appearing on behalf of the State submits that due to deaths in the family of permit holder, the vehicle that was to ply on the route has not been doing so for quite some time. The authorities have granted hearing to the legal heirs of the permit holder but there has been no reply to the same.

However, keeping in view the pandemic situation, the authorities now prayed that an additional six weeks may be granted to them so that they can decide on this issue finally. Mr. Sen submits that in the event the legal heirs do not appear for the hearing, the authority shall declare a vacancy wherein the petitioner may also make his application.

In light of the above submissions, the authorities are directed to take a decision on this matter within a

period of seven weeks. In the event, the vacancy remains after this period, the authorities are directed to expeditiously declare the vacancy and act in accordance with law.

With these above observations and directions, this writ petition stands 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 necessary formalities.

(Shekhar B. Saraf, J.)