

S/L No.34

05.10.2021
Ct-26
(AD)

(Through Video Conference)

WPA 15654 of 2021

Chitta Saha

vs.

The State of West Bengal & Ors.

Mr. Barun Kumar Samanta

...for the Petitioner.

Mr. Pantu Deb Roy

Mr. Anand Farmania

... for the State.

Pursuant to an order dated February 7, 2020 passed by a coordinate Bench of this High Court in WP 23759(W) of 2019 (*Chitta Saha 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. Pantu Deb Roy, counsel appearing on behalf of the State submits that due to the financial crisis of the erring 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 erring permit holder but there has been no reply to the same.

However, keeping in view the pandemic issue, the authorities now prayed that an additional six weeks may be granted to them so that they can decide on this issue finally. Mr. Roy submits that in the event the erring permit holder does 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.)