

Court No. 22

WPA 18021 of 2019

10.03.2021

(DL 29)

(S. Banerjee)

Prasanta Pal

Vs.

The State of West Bengal & Ors.

with

CAN 1 of 2020

Mr. Sanat Kumar Roy
Mr. Abhishek Banerjee

... for the petitioner

Mr. Amal Kumar Sen, AGP
Mr. Ashima Das (Sil)

... for the State

The grievance of the petitioner is that in respect of his representation for diversion of the route, only one line decision was communicated to him which is at page 19 (Annexure P-4) of the writ petition in serial number 13 in the following fashion – “Not allowed as per provision in Sec. 80(3) of M.V. Act, 1988”. Learned advocate for the petitioner submits that he needs a reasoned order in this respect for which he has filed this writ application.

The writ application is disposed of by directing the authorities to take a fresh decision in this regard, despite having the one line communication as found in page 19 serial number 13 of the writ application, within eight weeks from date and to communicate the decision by two weeks thereafter to the writ petitioner. The respondent authorities should give an opportunity of hearing to the petitioner before taking the decision.

I have not gone into the merits of the matter and as affidavits have not been called for, allegations made

against the respondent authorities are deemed not to have been admitted.

With the disposal of the main writ application, the connected application, being CAN 1 of 2020, becomes infructuous.

(Abhijit Gangopadhyay, J.)