

S/L 26
21.9.2021
Court No.26
SD

WPA 23412 of 2018
With
CAN 1 of 2019
(Old CAN 4902 of 2019)
(Via Video Conference)

Kalpana Deyashi
Vs.
State of West Bengal & Ors.

Mr. Sanat Kumar Roy
Mr. Abhishek Banerjee

...for the Petitioner.

Mr. Amal Kumar Sen
Mr. Niladri Bhattacharya

...for the State.

This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by an order dated June 29, 2018 rejecting his prayer for grant of stage carriage permit for the route Udaynarayanpur to Howrah Fire Service via Pancharul, Rajapur, Joynagar.

Report has been filed by the State authority and an application being CAN 1 of 2019 (Old CAN 4902 of 2019) has been filed by the petitioner taking exception to the said report.

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

In my view, this writ petition may be disposed of with liberty granted to the petitioner to approach the authorities on a modified route.

In the event, such an application is made within a period of four weeks, the department concerned is directed

to grant an opportunity of hearing to the petitioner and thereafter, pass a reasoned order upon the said application within a period of six weeks. The reasoned order shall be communicated to the petitioner within a week from the date of passing of the same.

In view of the disposal of the writ petition, CAN 1 of 2019 is also 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.)