

OD- 4

WPO/78/2021
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

SANOYAR SHAH
VS
THE STATE OF WEST BENGAL AND 4 ORS

BEFORE:

The Hon'ble JUSTICE ABHIJIT GANGOPADHYAY

Date : March 2, 2021.

Appearance:
Mr. Sankar Nath Mukherjee, Adv.
Sk. Samim. Akhtar, Adv.
Ms. Parna Mukherjee, Adv.

Mr. Amal Kr. Sen, Adv.
Mr. Lal Mohan Basu, Adv.
...for State.

The Court : The petitioner submits that in the application for grant of stage carriage permit the decision has been given with three conditions; one of which relates to bus station at Bhawanipur as laid down under Section 72(2) (XX) of the Motor Vehicle Act, 1988. The petitioner submits that such condition is required to be granted after the permit is given and not before. This submission is opposed by the learned Advocate appearing for the State submitting that this is a condition precedent and it is never the post permit condition. However, the petitioner has filed one representation on 4th January, 2021 which is Annexure P-3 (at page 20) of the writ application. I

direct the State Transport Authority, West Bengal to consider this representation within a period of 10 weeks from date after giving an opportunity of hearing to the petitioner. The decision thereon is to be communicated to the petitioner by two weeks thereafter.

With the above direction, this writ application is disposed of.

The petitioner is directed to communicate a copy of the representation to the Secretary of the State Transport Authority.

(ABHIJIT GANGOPADHYAY, J.)