

WPA 704 of 2022

Surojit Ghosh & Ors.

-Vs-

The State of West Bengal & Ors.

(Via Video Conference)

Mr. Barun Kumar Samanta

... for the petitioner

Mr. Amal Kumar Sen

Mr. Lal Mohan Basu

... for the State .

The grievance of the writ petitioners is that the application for contract carriage permit for auto rickshaw in particular routes submitted before the Regional Transport Authority, Calcutta and subsequently a hearing being given by the RTO, North 24 Parganas on 27th of December, 2019 has remained inconclusive and the petitioners have not been aware of the fate of the applications.

Learned Counsel appearing for the State had some documents to show that the decision was communicated to the petitioners on January 10, 2022 by the RTA, Calcutta.

Upon perusing the documents, it appears that the decision of the RTA, Calcutta is that the petitioners' applications were rejected by reason of route not having any vacancy.

It appears from an order handed up on behalf of the State-respondents that the Learned Single Judge of this Court in WPA 49 of 2020 has directed the Secretary of the

State Transport Department to publish notification every month indicating number of vacancies within its jurisdiction with cut of date by which the applications may be made by the interested parties.

The documents handed up on behalf of the State-respondents do not absolve the State of the long and unreasonable delay in processing the applications of the petitioners.

The petitioners were given a hearing on the 27th of December, 2019 and the decision was communicated on 10th of January, 2022.

It is clear that Learned Counsel appearing for the petitioners was not aware of the decision until the documents were handed up during the course of submissions.

Since the decision has already been taken and nothing further remains in the writ petition to be decided, WPA 704 of 2022 is disposed of.

The petitioners shall be at liberty to take appropriate action.

The State-respondents shall however be liable to pay costs reasonably assessed at Rs.7,000/- to be paid to Ramkrishna Mission Janasiksha Mandir, Belur within a fortnight from date for the inordinate and unexplained delay in deciding the applications.

The State authorities are directed to communicate the decision of the writ petitioners within 48 hours from date, if not done already.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Moushumi Bhattacharya, J.)