

WPA 3775 of 2020

Madhai Bhandary
Vs.
The State of West Bengal & Ors.

Adv. N. I. Khan,
Adv. Amla Kumar Mukherjee,
...for the petitioner.
Adv. Srijan Nayak,
Adv. Rituparna Maitra,
...for the State.

The petitioner is aggrieved by the rejection of his prayer for grant of stage carriage permit, by the Secretary, Regional Transport Authority, Kolkata Region by a communication issued on 3rd February, 2020 on the ground of “no vacancy”.

It is submitted on behalf of the petitioner that the permit granted to another operator in the same route was not renewed after 30th March, 2019 and therefore, it is not a fact that there is no vacancy in the said route. The petitioner submitted a comprehensive representation before the concerned authority on 13th February, 2020 ventilating his grievance which is yet to be considered. The petitioner prays for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the respondents that the 2nd respondent be directed to consider the representation submitted by the petitioner in accordance with law.

In view of the above, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the representation submitted by the petitioner dated 13th February, 2020 within six weeks from the date of communication of this order after affording reasonable opportunity of hearing to all the interested parties including the petitioner, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner within a week thereof.

With the aforesaid directions, writ petition WPA 3775 of 2020 is disposed of. There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J.)