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05.04.2022
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WPA No.5167 of 2022

Bala Nand Jha
Vs.
The State of West Bengal and others

Mr. Sakti Pada Jana
.... for the petitioner

Mr. Pantu Deb Roy,
Mr. Anand Farmaria
.... for the State

Ms. Aishwarya Rajyashree
.... for the respondent nos.4 and 5

The grievance of the petitioner is that, despite a permit for running a vehicle on a particular route having been granted to the petitioner since long back, on the basis of the subsequent ground taken by the respondent-authorities that the petitioner's permit was the third and extra permit whereas only two permits are permitted to be reciprocated between the Jharkhand and the West Bengal State Authorities, the petitioner's prayer for renewal of the permit has lastly been refused. By placing reliance on Annexure – P-10 at page-50 of the writ petition, which is a communication dated February 23, 2022, it is

submitted that the Authorities themselves have categorically clarified that three permits were sought to be reciprocated, bearing nos.87/2006, 10/07 and 84/2006 (WB) and an explanation was sought from the petitioner as to the basis on which the permit beyond the quota had been issued. However, it is submitted that it is evident from the numbers of the respective permits that the petitioner's permit was of 2006 whereas the third permit mentioned in the communication was of the year 2007, which renders the petitioner's permit valid, since it will be the second permit serially to have been issued upon such reciprocation.

However, learned counsel appearing for the respondent-authorities hands over a written instruction, which indicates that subsequently, pursuant to the direction of an appellate authority, the respondent-authorities of the State of West Bengal have agreed to issue the petitioner the renewal as sought by the petitioner in respect of his permit. Such written instruction be kept on record.

In such view of the matter, since the respondent-authorities have already agreed to extend the permit of the petitioner, by counter-signing on the same, WPA No.5167 of 2022 is disposed of as infructuous.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)