

02.12.2022
rc/ct.no.10
Item No.89

WPA No. 8666 of 2021

Mr. N.I.Khan
Mr. Samiran Mondal
Mr. Nitish Samanta ...for the petitioner

Mr. Sattwik Bhattacharjee
Mr. A. Bhattacharjee ...for the private respondent

Mr. Amal Kumar Sen
Mr. Lal Mohan Basu ...for the State

Supplementary affidavit filed by the petitioner is taken on record.

On the prayer of the petitioner leave is granted to him to implead the Secretary, State Transport Authority, West Bengal as respondent no. 9 in the writ petition.

The cause title of this writ petition be amended accordingly.

It is contended on behalf of the petitioner that the petitioner was granted stage carriage permit by the Secretary, Regional Transport Authority, Paschim Burdwan for plying his vehicle from Asansol to Bishnupur. Time table issued in favour of the petitioner was extended until further order. The Regional Transport Authority, Bankura granted time table in favour of the 8th respondent which clashes with the time table issued in favour of the petitioner. The petitioner submitted a representation before the concerned authority requesting immediate steps to stop the illegal plying of the vehicle by the private

respondent. During pendency of the writ petition the time table issued in favour of the private respondent has been extended by the authority from time to time and on the strength of the same, the private respondent has been obstructing the petitioner in plying his vehicle in the route. The petitioner seeks liberty to submit a comprehensive representation before the Secretary, State Transport Authority, West Bengal being the 9th respondent herein, ventilating his grievance and prays for direction upon the authority to consider the representation at the earliest.

It is submitted by the learned counsel appearing on behalf of the private respondent that an objection submitted by the private respondent before the Regional Transport Authority, Paschim Burdwan for cancellation of renewal of permit issued in favour of the petitioner is pending before the authority. He also submits that both the representations be taken up together upon hearing both the parties. He also seeks liberty to submit a fresh representation before the Authority so that both the representations can be dealt with by the Authority together

It is submitted by the learned counsel appearing on behalf of the State-respondents that since the permit issuing authorities are of two different regions, the representations may be taken up for consideration by the Secretary, State Transport Authority, West Bengal, being the 9th respondent herein, in presence of the Secretaries of the respective Regional Transport Authorities.

In view of the above, the writ petition is disposed of with liberty to the petitioner and the private respondent to submit comprehensive representations ventilating their grievance before the Secretary, State Transport Authority, West Bengal, being the 9th respondent herein, within 10 days from date.

The Secretary, State Transport Authority, West Bengal shall consider and dispose of the representations within one month from the date of receipt thereof upon affording reasonable opportunity of hearing to the petitioner and the private respondents as well as the concerned Regional Transport Authorities, in accordance with law.

The decision taken by the authority shall be communicated to the parties within a week thereafter.

With the above observations and directions this writ petition is disposed of.

There shall be, however, 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)