

S/L No.17
21.01.2022
Ct-5
(AD)

(Through Video Conference)

WPA 14054 of 2021

Shri Ashim Ghosh & Anr.

vs.

State of West Bengal & Ors.

Mr. Arkadipta Sengupta

Mr. Somdev Ash

...for the petitioners.

Mr. Amal Kumar Sen, Ld. AGP

Ms. Ashima Das (Sil)

... for the State.

Learned counsel for the petitioners submits that affidavit-in-reply is not required to be filed and he may proceed with his submission.

The complaint of the petitioners is that despite an order passed by the Regional Transport Authority, North 24-Parganas, on 27th December, 2019 which found the private respondents' documents to be unauthenticated and further that no Offer Letter/Permit was issued to the private respondents by the RTA, the RTA has failed to take any steps pursuant thereto. The petitioners plied their auto-rickshaws on the particular route and are prejudiced by the private respondents plying their vehicles in the same route but allegedly without the statutory permit.

Learned counsel appearing for the State respondents submits that the RTA has taken steps by lodging a complaint to the concerned police officers on 22nd September, 2021 against the private respondents and to take steps in the event it is found that the private respondents are plying their vehicles without the Contract

Carriage Permit.

Since the order of the RTA dated 27th December, 2019 can only be effectively implemented by the police authorities, who are respondents before this Court, in ascertaining whether the private respondents are plying their vehicles without permits and taking appropriate steps thereto, WPA 14054 of 2021 is disposed of with a direction on the respondent nos.6 and 7 being the Officers-in-Charge of the concerned police stations to take necessary steps against the private respondents if it is found that the private respondents are plying their vehicles in the concerned route without permits.

Since the complaint was made to the police on 22nd September, 2021, the directions in this order may be carried out without any further delay.

WPA 14054 of 2021 is disposed of.

(Moushumi Bhattacharya, J.)