

07.11.2022
rc/ct.no.10
Item No.599

WPA No. 14979 of 2017

Mr. N.I.Khan ...for the petitioners

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

Affidavit of service filed in Court today is taken on record.

Heard learned counsels appearing on behalf of the parties.

Petitioner no. 1 is the permit holder in respect of a stage carriage for plying his vehicle from Guir to Burdwan via Sehera Bazar. The petitioner applied for extension of the said route from Burdwan Tinkonia to Burdwan Nababhat via Sehera Bazar. Such request of the petitioner was turned down by the respondent authorities on 25.01.2017 and the extended route allowed to the petitioner was from Guir to Alisha bus stand instead of Burdwan Nababhat bus stand.

It is submitted on behalf of the petitioner that such decision was taken in the RTA Board meeting held on 22.02.2017 without assigning any reason therefor. The extended route of the petitioner has been curtailed by the authority without any valid reason.

It appears from the decision by the authority in the RTA Board meeting dated 22.02.2017 that the extended route applied for by the petitioner was curtailed by the authority without assigning any valid reason for the same. The application filed by the petitioner was allowed from Guir to Alisha bus stand instead of Burdwan Nababhat bus stand.

In view of the above, this Court is inclined to hold that the authority ought to have assigned reasons for curtailment of the extended route of the petitioner upon considering the submission made by the petitioner.

Accordingly decision taken by the authority in respect of the 1st petitioner in serial no. 38 of the agenda of RTA Board meeting dated 22.02.2017 be set aside/quashed.

The 2nd respondent is directed to consider the application for extension filed by the petitioner afresh upon giving reasonable opportunity of hearing to the petitioner and take a reasoned decision within six weeks from the date of communication of this order, in accordance with law.

The decision taken by the 2nd respondent shall be communicated to the petitioner no. 1 within a week thereof.

The petitioner is directed to serve a copy of this order along with a copy of the application upon the 2nd respondent at the earliest.

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)