

S/L. 5.
August 11, 2022.
MNS.

WPA No. 14934 of 2022

Subrata Shee
Vs.
The State of West Bengal and others

Mr. Shankar Nath Mukherjee,
Sk. Samim Akhter

... for the petitioner.

Mr. Pantu Deb Roy,
Mr. Subrata Guha Biswas

...for the State.

Mr. N. I. Khan,
Mr. A. K. Mukherjee

...for the respondent no. 11.

The petitioner has raised a grievance as regards alleged non-compliance of the terms of the route permit by the private respondent no. 11, by way of deviation from the route for which permit was granted to her.

Such contention is vehemently opposed by learned counsel for the private respondent, who submits that the private respondent is strictly adhering to the permit.

Although it is pointed out by learned counsel for the petitioner that there was a previous direction by the State Transport

Authority, West Bengal, to enquire into the matter of plying the vehicle on the route Puri to Tamluk by the private respondent, that does not *ipso facto* justify the allegation that the private respondent is repeating such offence.

Learned counsel appearing for the respondent-authorities rightly submits that it is the authority concerned which can resolve the issue, if necessary, by giving opportunity of hearing to both the concerned parties.

Upon hearing learned counsel for the parties, WPA No. 14934 of 2022 is disposed of accordingly by directing the respondent no. 2, that is, the State Transport Authority, West Bengal, to decide the issue of alleged violation of route permit by the private respondent no. 11 upon hearing the petitioner, private respondent, as well as other concerned persons, if any, in accordance with law at the earliest, positively within eight weeks from date.

It is expected that upon coming to a finding such issue, if required under the law, the respondent-authorities shall take necessary action accordingly.

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.)