

04.02.2022
sayandeep
Sl. No. 38
Ct. No. 05

WPA 16662 of 2021

[Via Video Conference]

Swapan Kayal
-Versus-
State of West Bengal & Ors.

Mr. Sanat Kr. Roy
Mr. Abhishek Banerjee
..... for the petitioner
Mr. Amal Kr. Sen
Mr. Jaladhi Das

..... for the State

The petitioner has challenged an order dated 8th October, 2020 passed by the Regional Transport Authority, Hooghly rejecting the application of the petitioner for Permanent Contract Carriage Permit for Auto Rickshaw in the concerned route on the clauses contained in a Notification dated 29th January, 2010 of the Transport Department, Government of West Bengal.

Although learned counsel appearing for the State respondent submits that the said Notification has been upheld by a Judgment of a learned Single Judge of this Court and which has not been challenged till date, it is also submitted that there are certain admitted discrepancies between the impugned order and the Report filed

in an identical writ petition in WPA 16594 of 2021 by the State respondent in the form of an affidavit pursuant to a direction of a coordinate Bench.

Counsel submits that due to such discrepancies, the matter should be remanded to the concerned Regional Transport Authority for taking a fresh view of the matter.

WPA 16662 of 2021 is disposed of by setting aside the impugned order dated 8th October, 2020 and directing the Regional Transport Authority of the concerned District to decide the matter afresh upon hearing relevant parties including the petitioner. The matter should be disposed of in terms of the reasoned order within eight weeks from today. A copy of the reasoned order should be made available to the petitioner within a week thereafter.

The writ petition is disposed of accordingly.

(Moushumi Bhattacharya, J.)