

8th February, 2022
(D/L No.37)
(SKB)

WPA 17782 of 2021
(Via video conference)

Raju Ghosh and others
Vs.
The State of West Bengal and others

Mr. Manas Das
... for the petitioners.

Mr. Amal Kumar Sen,
Mr. Jaladhi Das
... for the State.

The petitioners have challenged an order passed by the State Transport Authority on 14th January, 2020 cancelling the petitioners' permits for the concerned route issued by the Regional Transport Authority, North 24 Parganas in 2008. The reason for cancellation was that the permits could not be traced in the available office records of the Regional Transport Authority, North 24 Parganas. The petitioners were given liberty to apply for fresh permits before the Regional Transport Authority, Kolkata, which were done and the applications were rejected by the Regional Transport Authority, Kolkata on 30th November, 2021 on the ground that there are no vacancies in the concerned route.

The petitioners are aggrieved since the permits granted by the Regional Transport Authority, North 24

Parganas are presently valid and are due to expire only in 2023.

Although, learned counsel appearing for the State submits that the petitioners have acted in terms of the impugned order by applying for fresh permits, the dispute in the present writ petition is concerned with the order passed on 14th January, 2020 cancelling the permits granted by the Regional Transport Authority, North 24 Parganas.

Since copies of all the permits are annexed to the writ petition and ground of cancellation of the permits is not being available in the office records of the Regional Transport Authority, North 24 Parganas, which is not legally sound, this court is of the view that the Secretary, State Transport Department may be directed to enquire into the grant of permits to the petitioners by the Regional Transport Authority, North 24 Parganas and the genuineness of such permits. The Secretary, State Transport Department, shall take into consideration the existing permits of the petitioners and hear the petitioners before passing any decision. The petitioners shall produce the original permits before the concerned Secretary. The decision, needless to say, shall be in the form of a reasoned order which shall be made within six weeks from today. A copy of the reasoned order shall be made available to the petitioners within a week thereafter.

W.P.A.17782 of 2021 is accordingly allowed and disposed of in terms of the above.

Urgent photostat certified copy of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Moushumi Bhattacharya, J.)