Ct. 05
Item No.24
31.01.2022
(suvendu)

WPA 18661 of 2021

[Via Video Conference]

Mita Banerjee
Vs.
State of West Bengal & Ors.

Mr. Dilip Kumar Samanta
.......for the petitioner
Mr. Amal Kumar Sen
Mr. Anand Farmania
.....for the State
Ms. Tapashi Sinha Palit
.........for the UOI

The affidavit of service is taken on record.

Learned counsel appearing for the State-respondents has indicated possible solution to the dispute raised by the petitioner in the present writ petition which relates to demand for issuance of Certificate of Fitness in respect of the concerned vehicle and for exemption of Tax and Additional Tax for the period 15.05.2017 to 05.08.2017. Counsel submits that since all transactions are now through the e-Vahan Portal, payment of tax for the concerned vehicle may have been treated as a condition precedent for issuing the Certificate of Fitness. Counsel submits that the Director, Transport, Government of West Bengal may be directed to look into the issue and address the grievance of the petitioner.

Upon hearing such submissions, WPA 18661 of 2021 is disposed of with a direction on the Director, Transport, Government of West Bengal to consider the grievance raised by the petitioner in the present writ petition and address the said issue in terms of the written communication within a period of four weeks from date.

To clarify, the present dispute relates to payment of penalty for issuance of Certificate of Fitness.

Needless to say, the decision shall contain reasons and will be in accordance with the relevant statutory provisions and the Rules and Regulations framed thereunder.

WPA 18661 of 2021 is disposed of in terms of the above.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(**Moushumi Bhattacharya, J.**)