

29th August,
2022
(AK)
04

W.P.A 18334 of 2022

Rabindra Nath Das and another
Vs.
The State of West Bengal and others

Mr. Nurul Islam Khan
...for the petitioners.

Mr. Srijan Nayak
Mrs. Rituparna Maitra
...for the State.

Mr. Sanat Kr. Ray
Mr. Atanu Basu
...for the respondent no.5.

The petitioners contend that the petitioners, being partners of M/s. Orient Traders, made an application for change of address after the reconstitution of the partnership, namely, M/s Orient Traders.

Such deed of reconstitution was entered into on May 18, 2022. Subsequently, an application was made for change of address in the route permit held by the said partnership firm in respect of a vehicle. However, the same was postponed twice.

Subsequently a previous writ petition was filed which was dismissed on September 24, 2020 as withdrawn with liberty to sue a fresh on the self-same cause of action.

Accordingly, the present writ petition has been filed.

Learned counsel for the private respondent disputes that the petitioners are the partners of the said firm.

Be that as it may, the petitioners restrict their prayer to a consideration of the representation given by them as annexed at page-57 (annexure-P12) of the writ petition.

The petitioners also rely on a certificate of enlistment annexed to the writ petition for the period of 2021-2022, where the said change of address has purportedly been noted.

In view of the innocuous nature of the prayer of the writ petitioners, the merits of the respective contentions of the petitioners and the private respondent are not entered into at this stage.

Upon hearing learned counsel for all parties, WPA 18334 of 2022 is disposed of by directing the respondent no.2, that is, the Regional Transport Authority, Purba Bardhaman to decide and dispose of the representation of the petitioner annexed at page-57 (annexure-P12) of the present writ petition, in accordance with law and upon giving an opportunity of hearing to the petitioners as well as the private respondent and, if necessary, any other interested person.

A decision thereon would be taken thereafter by the respondent no. 2 as expeditiously as possible, preferably within four weeks from date.

It is reiterated that the merits of the contentions of the parties have not been gone into by this court.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)