

September 16, 2022
ARDR
(191)

WPA 19513 of 2022

Arijul Pahar & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Asim Hati,
Ms. Nandini Sharma,

...for the petitioners.

Mr. Amal Kumar Sen,
Mr. Jaladhi Das,

...for the State.

Affidavit of service filed by the petitioner is taken on record.

On prayer of the petitioner, the names of petitioner nos. 2 to 8 be expunged from the cause title of the writ petition.

The cause title of the writ petition be amended accordingly.

The petitioner has been granted contract carriage permit to ply Auto Rickshaw for short distance route of about eight kilometers. The petitioner alleges that in the said route a stretch of three kilometers is being occupied by illegal auto rickshaw owners who are plying their vehicles in the said stretch without having any valid permit. Also, another two kilometers of the said route has been curtailed as the respondent authorities are inclined to issue permit in the said stretch in favour of others. The petitioner seeks liberty to submit a comprehensive representation before the authority ventilating his

grievance and prays for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the respondents that the 2nd respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation ventilating his grievance before the 2nd respondent within seven days from date. The 2nd respondent is directed to consider and dispose of the representation within two months from the date of communication of this order after affording reasonable opportunity of hearing to all the interested persons including the petitioner/his legal representative, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner within a week thereof.

With the above directions, WPA 19513 of 2022 is disposed of. There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J.)