

16.09.2022
rc/ct.no.10
Item No.196

WPA No. 21182 of 2022

Mr. Sanat Kumar Roy
Mr. Abhishek Banerjee ...for the petitioner

Mr. Amal Kumar Sen
Mr. Lal Mohan Basu ...for the State

Affidavit of service filed in Court today is taken on record.

It is submitted by the learned counsel appearing on behalf of the petitioner that pursuant to an order passed by a coordinate Bench of this Court on 09.09.2021 in WPA No. 32994 of 2014, the petitioner submitted an application before the concerned authority on 13.12.2021 which was not accepted by the authority which directed the petitioner to submit another application in plain paper seeking permit for a different route. In compliance with the direction of the authority the petitioner submitted a fresh application on 13.05.2022 on plain paper which is yet to be considered. The petitioner prays for direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the State-respondent that the application submitted on 13.05.2022 is neither in the proper format, nor accompanied by requisite fees. The application is also not in compliance with the order passed by this Court on 09.09.2021.

The objection raised by the learned counsel appearing for the State-respondents has been explained by the petitioner.

Since the petitioner submits that the application dated 13.05.2022 was submitted by the petitioner upon verbal direction by the authority, the authority be directed to consider the application in accordance with law within a stipulated time frame.

Accordingly the writ petition is disposed of directing the 2nd respondent to consider and dispose of the representation submitted by the petitioner on 13.05.2022 within two months from the date of communication of this order subject to the petitioner depositing requisite fees and after affording reasonable opportunity of hearing to all the interested parties including the petitioner, in accordance with law.

The authority is directed to accept the requisite application fees tendered by the petitioner.

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

With the above observations and directions this writ petition is disposed of.

There shall be, however, 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)

