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13.03.2023
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W.P.A. 929 of 2023

(M/s Dipak Service Transport Company & Ors. vs. State of West Bengal & Ors.)

Mr. N. I. Khan
Mr. Amlan Kr. Mukherjee
.... For the Petitioners

Mr. Amal Kr. Sen
Ms. Ashima Das (Sil)
.... For the State

Ms. Aishwarya Rajyashree
.... For the STA Jharkhand

Copy of the countersigned permit and timetable submitted on behalf of the 5th and 6th respondents are taken on record.

It appears from the submission made on behalf of the petitioner as well as copy of the countersigned permit and timetable submitted on behalf of the 5th and 6th respondents that the permit has been countersigned by the State Transport Authority, Jharkhand, but portion of the route alignment of the vehicle has been allegedly omitted by the said authority in countersigning the permit. The petitioners seek to submit an objection in this regard before the concerned authority and pray for a direction upon the authority to consider the same upon affording reasonable opportunity of hearing.

In view of the above, this Court is inclined to hold that nothing further remains to be adjudicated in the writ petition.

The writ petition is accordingly disposed of with liberty to the petitioners to submit an objection before the concerned authority being the 6th respondent herein, with regard to alleged omission made in the countersigned permit within 7 days from date. The 6th respondent is directed to consider and dispose of the said objection within a fortnight from the date of receipt thereof upon affording reasonable opportunity of hearing to all the interested persons including the petitioners, in accordance with law.

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

The writ petition is thus disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)