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jdt.

01.02.2023
jb.

W.P.A. 1127 of 2023
(Sk. Saidul Islam vs. State of West Bengal & Ors.)

Mr. Sanat Kr. Ray
Mr. Abhishek Banerjee
.... For the Petitioner

Sk. Shamim Akhter
.... For the Private REspondent

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

None appears for the respondents
despite service.

Mr. Lal Mohan Basu who is present in
Court and usually appears for the State is
requested to represent the State in this
matter. His appointment be regularised by the
office of the learned Legal Remembrancer.

The petitioner is directed to serve copy
of the writ petition along with annexure
thereto to Mr. Basu in course of this day.

Pursuant to an earlier order passed by
this Court on 26th September, 2022 in W.P.A.
19757 of 2022 directing the 3rd respondent
therein to communicate the decision taken by
the authority in respect of the objection
filed by the petitioner on 11th August, 2022
within two weeks from the communication of
that order, hearing was conducted by the

concerned authority who by an order passed on 16th September, 2022 requested the RTO Paschim Medinipur, RTO Purba Bardhaman and RTO Hooghly to submit reports regarding plying of the vehicle in the stretch of route from Bishnupur to Arambag.

It is submitted on behalf of the petitioner that in terms of the said order the petitioner served notice upon the RTO Paschim Medinipur, RTO Purba Bardhaman and RTO Hooghly requesting them to submit a report before the concerned authority at the earliest. Though the said request was received by the concerned RTOs, no report has been submitted till date as learnt by the petitioner.

The petitioner seeks a direction upon the said RTOs to submit their reports before the concerned authority at the earliest and further direction upon the concerned authority to consider the representation submitted by the petitioner before the authority and dispose of the same within a stipulated time frame.

Upon consideration of the submission made on behalf of the parties, this Court is inclined to hold that since the reports from RTO Paschim Medinipur, RTO Purba Bardhaman

and RTO Hooghly are awaiting, the said authorities be directed to submit their reports before the third respondent within two weeks from date. Upon receipt of the said reports, the Secretary, State Transport Authority, West Bengal being the third respondent herein is directed to consider and dispose of the said representation submitted by the petitioner which is pending before him within one month thereafter upon affording reasonable opportunity of hearing to all the interested persons including the petitioner and the private respondent, in accordance with law.

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

The petitioner is directed to communicate a copy of this order to the RTO Paschim Medinipur, RTO Purba Bardhaman and RTO Hooghly at the earliest.

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.)