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jdt.

12.05.2023
jb.

W.P.A. 2659 of 2023
(Kalyan Ghosh vs. State of West Bengal & Ors.)

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

Mr. Amal Kr. Sen
.... For the State

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

The petitioner contends that he applied for issuance of All Bengal Luxury Taxi Permit in respect of the vehicle in question before the respondents which was placed before the STA Board meeting on 17th June, 2014. Pursuant to resolution taken in the meeting, offer letter was issued in favour of the petitioner vide Memo dated 25th June, 2014. The petitioner deposited the requisite fees before the Reserve Bank of India on 24th September, 2014. Despite several attempts made by the petitioner for issuance of permit in his favour by the authority, the authority remained silent over the matter for which the petitioner submitted a representation in this regard before the authority on 29th November,

2022. The petitioner prays for a direction upon the authority to consider the representation at the earliest. ;

In denying the allegations made by the petitioner, learned counsel for the State respondents submits that since there has been inordinate delay in pursuing the application by the petitioner, the petitioner ought to make a fresh application before the authority accompanied by relevant documents. Learned counsel further submits that the petitioner failed to approach the authority during the entire period of pendency of the application without any cogent reason.

It is a fact that offer letter was issued in favour of the petitioner vide Memo dated 25th June, 2014 and representation was submitted by the petitioner only on 29th November, 2022. In explaining the said delay, the petitioner submits that he approached the authority on several occasions for issuance of permit but his request fell on deaf ears.

No reason has been assigned by the authority as to why the permit was not issued in favour of the petitioner despite the petitioner complying with all formalities within stipulated period of time.

Be that as it may since the representation submitted by the petitioner before the authority is pending consideration, the concerned authority being the 2nd respondent herein is directed to consider and dispose of the representation within six weeks from the

date of communication of this order upon affording reasonable opportunity of hearing to the petitioner, in accordance with law.

Since the matter is pending for long, the petitioner shall produce a copy of the representation, application and all other relevant documents relied upon by the petitioner before the authority at the time of hearing.

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.)