

996 (ML)
16.05.2023
Ct. No.10
b.das

WPA 4197 of 2023

Bimal Chandra Das @ Bimal Kumar Das
Vs.
The State of W.B. & Ors.

Mr. N. I. Khan
Mr. B.K. Samanta ...for the petitioner.

Mr. Pantu Deb Roy
Mr. P. Bandyopadhyay ...for the State.

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

Heard learned counsels for the parties.

The petitioner is a permanent permit holder in respect of vehicle No.WB 31/3301 on the route Beta to Kolkata. The petitioner applied for curtailment of route from Beta to Tajpur covering almost 7 kilometres by an application filed on 1st February, 2022.

The petitioner's request was turned down by the concerned authority by a letter issued on 17th December, 2022.

Learned counsel for the petitioner has drawn the attention of the Court to a similar curtailment allowed in favour of another operator Saktipada Jana by the same authority by an order of the Secretary, STA on 14th August, 2015.

The petitioner seeks to submit a comprehensive representation before the concerned authority annexing all

relevant documents and prays for direction upon the authority to consider the representation within a stipulated time frame.

It prima facie appears from the permit issued in favour of Saktipada Jana that similar prayer for curtailment of the route from Beta to Tajpur was allowed by the concerned authority by an order of the Secretary, STA passed on 14th August, 2015.

Since the petitioner appears to be similarly circumstanced with Saktipada Jana whose request was acceded to by the authority, this Court is inclined to hold that the request of the petitioner be revisited by the authority upon granting an opportunity of hearing to the petitioner.

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

Upon consideration of the submission made on behalf of the parties, the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation annexing all relevant documents before the 2nd respondent within seven days from date. The 2nd respondent is directed to consider and dispose of the representation within a period of six weeks from the date of receipt thereof after granting reasonable opportunity of

hearing to all the stakeholders including the petitioner, in accordance with law.

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

With the above observations and directions this writ petition being WPA 4197 of 2023 is disposed of.

However, there shall 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 supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)