

WPA 4293 of 2020

Madhab Chandra Dutta
Vs.
The State of West Bengal & ors.

Adv. Pinaki Ranjan Chakraborti,
...for the petitioner.
Adv. Pantu Deb Roy,
Adv. Subrata Ghosh Biswas,
...for the State.

The petitioner claims to be the registered owner of the vehicle in question and was plying the vehicle by virtue of route permit granted to him. The petitioner deposited the prescribed fees for renewal of the permit. By a decision taken by the RTA Board in its meeting held on 26th November, 2018, the permit granted to the petitioner was cancelled for violation of the provisions of the Motor Vehicles Act, 1988.

It is submitted on behalf of the petitioner that the permit was cancelled due to no fault on the part of the petitioner.

Learned counsel for the State respondents also submits that since the permit was issued by the Secretary, Regional Transport Authority, Malda who had no authority to issue the same, the same was cancelled.

The petitioner submitted a representation before the concerned authority on 8th July, 2019 for issuance of permit for the route Malda to Raiganj which is yet to be considered by the concerned authority. The petitioner

prays for a direction upon the authority to consider the representation at the earliest.

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

In view of the above, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the representation submitted by the petitioner dated 8th July, 2019 within one month from the date of communication of this order upon affording reasonable opportunity of hearing to the petitioner, in accordance with law.

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

With the aforesaid directions, WPA 4293 of 2020 is disposed of.

There shall however, be no order as to costs.

Since no affidavit in opposition 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 on usual undertakings.

(Suvra Ghosh, J.)