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16.05.2023
jb.

W.P.A. 5512 of 2023
(Santu Samanta vs. State of West Bengal & Ors.)

Mr. Soumen Bhattacharyya
Mr. Ankan Das

.... For the Petitioner

Mr. Amal Kr. Sen
Mr. Jaladhi Das

.... For the State

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

The petitioner is a permanent stage carriage permit holder of the Route DN-9 and Route DN-9/1. A major part of the route is covered by a culvert/bridge which required repairs due to damage for which the local administration decided to suspend plying heavy public transport through the said route for an indefinite period. The repairing work, according to the petitioner, is still in progress. The Sub-Inspector (AB) Officer-in-charge, Nager Bazar, STG Barrackpore Police Commissionerate by a letter issued to the Deputy Commissioner of Police (Traffic), Barrackpore Police Commissionerate on 26th August, 2021 stated that he

proposed a new bus route via Belgharia expressway instead of Dum Dum road. The petitioner along with other operators submitted a representation before the concerned authority on 24th January, 2023 requesting the authority to take necessary steps to endorse variation of the route in order to enable them to ply their vehicles in the said route. The representation is yet to be considered. The petitioner prays for a direction upon the concerned authority to consider the representation at the earliest.

It is submitted on behalf of the respondents that the third respondent be directed to consider the representation in accordance with law subject to the situation in 2021 subsisting as on date.

In view of the above, the writ petition is disposed of directing the third respondent to consider and dispose of the representation dated 24th January, 2023 within six weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all the stake holders including the petitioner subject to verification whether the repairing work as indicated earlier is still in progress or the portion of the route has been restored to its normal position.

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

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.)