

July 18, 2023
ARDR
(156)

WPA 9857 of 2023

Padma Pal
Vs.
The State of West Bengal & Ors.

Adv. Samiran Mandal,
Adv. Abhinaba Dan,

...for the petitioner.

Adv. Niraj Gupta,

...for the respondent no.4.

Adv. Amal Kumar Sen,
Adv. Jaladhi Das,

...for the State.

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

The petitioner claims to be the owner of a bus bearing registration no. WB/67/5786 and has been granted permit to ply in the route Bankura to Chandrakona Road.

It is submitted on behalf of the petitioner that the 3rd respondent issued a timetable in favour of the 4th respondent for the route Bishnupur to Ukhradihi, a part of which is in conflict with the timetable issued in favour of the petitioner. Also, the 4th respondent is plying his vehicle upto Jaykrishnapur and not up to Bishnupur, in violation of the permit issued in his favour. The petitioner submitted a representation in this regard before the concerned authority and the issue was taken up for hearing by the authority on 30th August, 2022 and 15th September, 2022 pursuant to notices issued by the

authority on 24th August, 2022 and 13th September, 2022 respectively. Though the petitioner was heard by the authority and submitted all relevant documents in support of her claim, no further communication has been made to her by the authority. The petitioner seeks a direction upon the authority to communicate the order passed by the authority, if any, within a stipulated time frame.

Upon considering the submission made by the parties, this Court is inclined to hold that since the representation submitted by the petitioner has been taken up for consideration by the concerned authority, being the 3rd respondent herein, upon hearing the petitioner and also as the petitioner has submitted documents before the 3rd respondent in support of her claim, the 3rd respondent is directed to communicate the order passed by him, if any, to the petitioner within two weeks from the date of communication of this order. In the event no order has been passed by the authority till date, the authority is directed to pass a reasoned order within two weeks from date of communication of this order and communicate such order to the petitioner within a week thereafter.

With the above directions, WPA 9857 of 2023 is disposed of.

There shall however, 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 furnished to the parties on usual undertakings.

(Suvra Ghosh, J.)