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jdt.

17.05.2023
jb.

W.P.A. 11765 of 2023
(Smt. Nivedita Das vs. State of West Bengal & Ors.)

Mr. Timir Baran Saha
.... 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 holder of permanent stage carriage permit and applied before the concerned authority for issuance of timetable in her favour in terms of the proposed timetable submitted by her. In disposing of the said application, the authority issued timetable which was not in consonance with the proposed timetable submitted by the petitioner for which the petitioner approached this Court in a writ petition being WPA 2230 of 2022. By an order passed on 7th March, 2022 a co-ordinate Bench of this Court directed the Secretary, Regional Transport Authority, Nadia to consider and dispose of the representation made by the petitioner on 6th September, 2021 within a stipulated time frame upon hearing all concerned

including the petitioner. Upon consideration of the representation of the petitioner, the concerned authority reiterated its previous stand by issuing a timetable inconsistent with the proposed timetable submitted by the petitioner. The petitioner submitted a further representation before the concerned authority on 22nd March, 2023 with alternative requests:- to issue timetable in her favour in tune with the proposed timetable submitted by her or to allow her to ply her vehicle on the basis of revisional timetable issued in favour of eight other operators of the route. The representation is yet to be considered by the 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 4th respondent be directed to consider the representation, in accordance with law.

In view of the above, the writ petition is disposed of directing the 4th respondent to consider and dispose of the representation submitted by the petitioner dated 22nd March, 2023 within one month from the date of communication of this order upon affording reasonable opportunity of hearing to all the stake holders including the petitioner, in accordance with law. The petitioner is directed to provide a copy of the representation dated 22nd March, 2023 to the authority along with the copy of the order.

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.)