

06.06.2023
jb.

W.P.A. 12158 of 2023
(Prithish Sinha & Ors. vs. State of West Bengal & Ors.)

Mr. N. I. Khan
Mr. Amlan Kr. Mukherjee
.... For the Petitioners

Mr. Amal Kr. Sen
Mr. Jaladhi Das
.... For the State

Mr. Bhaskar Nandi
.... For the Respondent Nos. 7-11

Heard learned counsels for the parties.

The petitioners are stage carriage permit holders in Route 24, 24A, 24A/1 and 24B. On account of congestion in the route 24B, the petitioners, by an application filed before the Additional Director, Transport Directorate, PVD, Kolkata Zone on 18th July, 2022 requested curtailment of the route from Barafkall to Dhangarpara in order to enable the petitioners to ply their respective vehicles from Howrah to Barafkall. Pursuant to the said application, the opinion of the Deputy Commissioner of Police, Traffic Department was sought by the Secretary, Regional Transport Authority, Kolkata Region vide letter issued on 22nd July, 2022 in reply to which the Deputy Commissioner of Police, vide letter issued on 27th July, 2022 issued no objection to

the proposed curtailment of route. The Regional Transport Authority, in its board meeting held on 30th August, 2022 afforded opportunity of hearing to the petitioners as well as the other interested persons and objections were filed by other operators including the private respondents herein. The request made by the petitioners have not been finally decided by the Board despite no objection accorded by the police. The petitioners pray for a direction upon the concerned authority to dispose of the application made by the petitioners by a reasoned order at the earliest.

It is submitted on behalf of the private respondents that the petitioners have prayed for deviation of their existing route in addition to curtailment which shall prejudicially affect the other operators in the route including the private respondents.

It is submitted on behalf of the State respondents that the 2nd respondent be directed to consider the application filed by the petitioners upon taking into account the submission made on behalf of the petitioners as well as the objections filed by other operators including the private respondents in this connection.

In view of the above, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the application filed by the petitioners for curtailment

of the route within six weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioners and the private respondents and upon taking into consideration the submission made by each of the interested persons as well as objections filed by other operators including the private respondents.

On prayer of the respondents liberty is granted to issue notice of hearing upon learned counsels representing the parties before the Board.

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

The writ petition is thus disposed of.

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.)