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jdt.

17.07.2023
jb.

W.P.A. 12761 of 2023
(Siba Prasad Sahu vs. State of West Bengal & Ors.)

Mr. Sankar Nath Mukherjee
Sk. Samik Akhter
Mr. Niraj Gupta
.... For the Petitioner

Mr. Pantu Deb Roy
Mr. Subrata Guha Biswas
.... For the State

The petitioner is the owner of a vehicle bearing registration No. OR-04P-0123 registered by the Regional Transport Office, Chandikhole, Orissa. Permit was granted in favour of the petitioner for the route Paradeep to Kolkata which is valid till 18th May, 2026. The petitioner was unable to ply the vehicle from 1st May, 2021 to 22nd September, 2022 due to mechanical fault of the vehicle and seeks to submit a representation before the concerned authority for exemption of tax, additional tax for the said period.

It is submitted on behalf of the respondents that the 5th respondent be directed to deal with the representation of the petitioner in accordance with law.

In view of the above, the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation for exemption of tax and additional tax as prayed for in the writ petition before the 5th respondent within 7 days from date. The 5th

respondent is directed to consider and dispose of the representation within one month from the date of receipt thereof upon affording reasonable opportunity of hearing to all the interested persons including the petitioner, in accordance with law.

In the event the 5th respondent decides the representation in favour of the petitioner, necessary consequential steps be taken by the 4th respondent within two weeks thereafter.

The decision taken by the authority shall be communicated to the petitioner 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.)