**878 (ML)**
**13.09.2023**
Ct. No.10
**b.das**

**WPA 14369 of 2023**

**Sanjib Kumar Seth**
Vs.
**The State of W.B. & Ors.**

Mr. N. I. Khan
Mr. Amlan Kr. Mukherjee ...for the petitioner.

Mr. Amal Kr. Sen
Mr. Lal Mohan Basu ...for the State.

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

Heard learned counsels for the parties.

The petitioner applied for stage carriage permit before the Regional Transport Authority, Malda which was considered by the authority and approved for the route Malda to Raigunge via Gazol subject to confirmation of No Objection Certificate from the RTA Board, Uttar Dinajpur as per Rule 103 of the West Bengal Motor Vehicles Rules, 1989.

Learned counsel for the petitioner submits that though a memo/letter was issued by the Secretary, Regional Transport Authority, Malda to the Secretary, Regional Transport Authority, Uttar Dinajpur on 28th January, 2020 communicating the resolution, no NOC has been granted by the Secretary, Regional Transport Authority, Uttar Dinajpur till date.

The petitioner prays for a direction upon the Secretary, Regional Transport Authority, Uttar Dinajpur for issuance of No Objection Certificate in terms of the resolution taken by the RTA, Malda within a stipulated time frame.

Upon consideration of the submission made on behalf of the parties, the writ petition is disposed of directing the 6th respondent to issue No Objection Certificate in favour of the petitioner in terms of the resolution taken by the Regional Transport Authority, Malda, communicated to him vide letter dated 28th January, 2020 and transmit such No Objection Certificate to the Secretary, Regional Transport Authority, Malda, being the 4th respondent herein, within a period of one month from the date of communication of this order. Upon receipt of such No Objection Certificate from the Regional Transport Authority, Uttar Dinajpur, the Regional Transport Authority, Malda shall take necessary consequential steps at the earliest, in accordance with law.

However, there shall 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 supplied to the parties upon compliance with all requisite formalities.

**(Suvra Ghosh, J.)**