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jdt.

18.07.2023
jb.

W.P.A. 15175 of 2023
(Sujit Das vs. State of West Bengal & Ors.)

Ms. Kakali Dutta
.... For the Petitioner

Mr. Pantu Deb Roy
Mr. Jaladhi Das
....For the State

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

It is contended on behalf of the petitioner that initially a permanent stage carriage permit was issued by the Secretary, RTA, Uttar Dinajpur in favour of one Nilay Acharjee in respect of the route Raiganj to Churaman and the permit was transferred in favour of the petitioner on 15th September, 2015 on the basis of which the petitioner is plying his vehicle bearing registration No. WB-59A-5973 in the said route. The permit is valid up to 15th March, 2025. The Secretary, Uttar Dinajpur Bus Mini Bus Owners Welfare Association, Raiganj issued a letter to the RTA, Uttar Dinajpur for extension of route from Churaman to Chanchal via Madhabpur Ghat against the existing route Raiganj to Churaman in respect of 12 vehicles. The said request was considered by the RTA Board which recorded that since a portion of the route fell under the jurisdiction of RTA Malda, NOC would have to be obtained from the RTA Board, Malda. The Secretary, RTA, Uttar Dinajpur issued a letter to the

Secretary, Malda requesting issuance of NOC on 10th February, 2020 wherein the petitioner's vehicle was inadvertently not mentioned. Upon the said fact being brought to the notice of the authority, the authority wrote another letter to the Regional Transport Authority, Malda requesting inclusion of the petitioner's vehicle for issuance of NOC. Since no step was taken by the Regional Transport Authority, Malda in this regard, the petitioner submitted a representation before the concerned authority on 2nd May, 2023 requesting issuance of NOC in terms of the resolution of the RTA board, Uttar Dinajpur and seeks direction upon the Regional Transport Authority, Malda to consider the representation submitted by the petitioner in terms of the letter issued by the Secretary, RTA, Uttar Dinajpur on 10th August, 2020.

It is submitted on behalf of the respondents that the 2nd respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the representation submitted by the petitioner dated 2nd May, 2023 within one month from the date of communication of this order in terms of the letter issued by the Secretary, RTA, Uttar Dinajpur on 10th August, 2020, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner as well as the Secretary, RTA, Uttar Dinajpur, within a fortnight thereof.

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.)