

884  
jdt.

**13.09.2023**  
jb.

**W.P.A. 15181 of 2023**  
**(Sambit Ghosh & Ors. vs. State of West Bengal & Ors.)**

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

**Mr. Amal Kr. Sen**  
**Mr. Lal Mohan Basu**  
**.... For the State**

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

The petitioners are operators in the route Polerhat, Bhangore to Shaymbazar and raised an objection against unauthorised and illegal plying of the buses in route No. 211, 211 A and 211 B. Pursuant to an order passed by a co-ordinate Bench of this Court on 4<sup>th</sup> August, 2022 in a writ petition being WPA 16672(W) of 2022 directing the concerned authorities to decide on the complaint alleged by the petitioners upon giving adequate opportunity of hearing to the petitioners and all concerned persons, the Regional Transport Authority, Kolkata, by a resolution taken in their meeting held on 20<sup>th</sup> September, 2022, decided as hereunder:

“The RTA Board discussed the matter and decided to give a time opportunity of 10 days to the route committee of route 211/211A/211B to submit an

affidavit with declaration of compliance to the original route alignment permitted by RTA and maintenance of uniformity regarding route number plate displayed front of bus. Secretary, RTA is also requested to send intimation to Enforcement Wing to keep regular vigil on plying of buses in Route no. 211/211A/211B and take appropriate action against violation noticed, if any.”

Learned counsel for the petitioners submits that despite such resolution no step has been taken by the route committee or the Secretary, RTA for which the petitioners submitted a further complaint before the authority which was received by the latter on 1<sup>st</sup> March, 2023. The objection is yet to be dealt with by the authority. The petitioners pray for a direction upon the authority to consider the objection filed by the petitioners at the earliest.

Learned counsel for the respondents submits that the 2<sup>nd</sup> respondent be directed to consider the complaint in accordance with law.

In view of the above, the writ petition is disposed of directing the 2<sup>nd</sup> respondent to consider the complaint submitted by the petitioners and take necessary steps in terms of the complaint as well as the resolution taken by the Board on 20<sup>th</sup> September, 2022 upon affording reasonable opportunity of hearing to all concerned including the petitioners within one month

from the date of communication of this order, in accordance with law.

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.)**