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jdt.

12.06.2023
jb.

W.P.A. 17592 of 2019
(Subikash Gupta vs. State of West Bengal & Ors.)

Ms. Kakali Dutta
Mr. Manoj Mondal
Ms. Anamika Biswas
.... For the Petitioner

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

None appears for the State respondents despite service.

Mr. Pantu Deb Roy who is present in Court and usually appears for the State is requested to represent the State in this matter along with a junior of his choice. The appointment of Mr. Deb Roy, learned advocate and Mr. Pannalal Bandyopadhyay , learned advocate be regularised by the office of the learned Legal Remembrancer. Copy of the writ petition be served upon Mr. De in course of the day.

It is contended on behalf of the petitioner that the petitioner applied for issuance of contract carriage permit before the concerned authority on 19th August, 2019 which has not been accepted by the authority. The petitioner prays for a direction upon the authority

to accept and consider the said application upon payment of prescribed fees by the petitioner.

Learned counsel for the respondents submits that the 4th respondent be directed to accept the application for consideration of the same by the RTA Board, in accordance with law subject to payment of requisite fees by the petitioner.

In view of the above, the writ petition is disposed of directing the 4th respondent to accept the application submitted by the petitioner for consideration of the same by the RTA Board within one month from the date of communication of this order subject to the petitioner depositing the requisite fees for the same upon affording reasonable opportunity of hearing to all the stake holders including the petitioner, in accordance with law.

The petitioner is directed to submit a copy of the application in prescribed form before the concerned authority along with copy of this order at the earliest.

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.)