

August 22, 2023
(124) ARDR

WPA 19365 of 2023

Sekhar Chatterjee & anr.
Vs.
The State of West Bengal & ors.

Adv. Sanat Kumar Roy,
Adv. Abhisek Banerjee,
...for the petitioners.
Adv. Ayan Banerjee,
Adv. Mousumi Banerjee,
...for the State.

On prayer of the petitioners, the name of the 6th respondent (Imran Middya) be expunged from the cause title of the writ petition.

The cause title of the writ petition be amended accordingly.

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

It appears that the service upon the 5th respondent has returned with an endorsement “refused” which amounts to good service. The other respondents have been served.

Heard learned counsels for the parties.

The petitioners are aggrieved by the fact that a bus bearing registration no. WB41J-2035 is plying in two separate routes under two permits issued by the authority. The petitioners seek to submit a comprehensive objection this regard before the District Magistrate, Purba Burdwan, being the 3rd respondent herein and prays for a direction upon the authority to consider the objection at the earliest.

Upon consideration of the submission on behalf of the parties, the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation before the 3rd respondent within three days from date. The 3rd respondent is directed to consider and dispose of the objection within two weeks from the date of receipt thereof upon affording reasonable opportunity of hearing to all the interested persons including the petitioners and the private respondent, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner within a week thereof.

With the aforesaid directions, the writ petition, being WPA 19365 of 2023 is disposed of.

There shall however, 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 furnished to the parties on usual undertakings.

(Suvra Ghosh, J.)