

**945**  
03.04.2023  
Ct. No.10  
b.das

**W.P.A. 22241 of 2022**

Om Prakash Gupta  
Vs.  
The State of W.B. & Ors.

Mr. Sattwik Bhattacharya  
Mr. A. Bhattacharya ...for the petitioner.

Mr. Srijan Nayak  
Ms. Rituparna Maitra ...for the State.

Ms. Aishwarya Rajyashree  
Mr. Chandra Gupta Kamal  
...for the respondent No.3.

Heard learned counsels for the parties.

The 3<sup>rd</sup> respondent has failed to submit report in the form of affidavit despite being given several opportunities.

The petitioner contends that by virtue of an inter-State agreement entered into between the States of West Bengal and Jharkhand, the petitioner has been plying his vehicle in the inter-State route (Bokaro to Ghatsila via Purulia-Patamda-Pardih) in terms of serial No.2, Annexure – B of the reciprocal transport agreement dated 29<sup>th</sup> March, 2004.

The petitioner complains that the State Transport Authority, West Bengal issued time-table in favour of the petitioner including Pardih (Tata) as one of the stoppages

which was admittedly countersigned by the State Transport Authority, Jharkhand on 3<sup>rd</sup> August, 2021.

The time table was finally extended up to 24<sup>th</sup> September, 2022 including 'Tata' as one of the stoppages and the same was sent to the State Transport Authority, Jharkhand for counter signature. The State Transport Authority, Jharkhand sat silent over the same and has not granted such counter signature till date.

The petitioner submitted a representation before the concerned authority, being the 3<sup>rd</sup> respondent herein, through his learned counsel on 8<sup>th</sup> September, 2022 requesting issuance of fresh counter signature for the time table issued on 25<sup>th</sup> January, 2022, which is yet to be considered. The petitioner prays for a direction upon the concerned authority to consider the representation at the earliest.

It is submitted on behalf of the respondents that the 3<sup>rd</sup> respondent be directed to consider the representation, in accordance with law.

In view of the above, the writ petition is disposed of directing the 3<sup>rd</sup> respondent to consider and dispose of the representation submitted on behalf of the petitioner dated 8<sup>th</sup> September, 2022 within two weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all the stake holders including the petitioner, in accordance with law.

The petitioner is at liberty to submit all relevant documents up to date before the concerned authority at the time of hearing.

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

With the above directions, the writ petition being W.P.A. 22241 of 2022 is thus disposed of.

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.)**