

251
jdt.

01.03.2023
jb.

W.P.A. 22924 of 2022
(Soumitra Saha vs. State of West Bengal & Ors.)

Mr. Sankar Paul
Mr. Tapas Somadder
Ms. Tapati Sarkar
.... For the Petitioner

Mr. Pantu Deb Roy
Mr. Pannalal Bandyopadhyay
.... For the State

On prayer of the petitioner liberty is granted to implead the Regional Transport Authority, Kolkata as respondent No. 4 in the writ petition.

Cause title of the writ petition be amended accordingly.

It is contended on behalf of the petitioner that the petitioner purchased a new LPG driven auto rickshaw by replacing his earlier auto rickshaw having route permit from Sodepur More to Madhyamgram Chowmatha. The petitioner applied for issuance of permit in respect of the new auto rickshaw before the concerned authority which is yet to be considered.

It appears from the report in the form of affidavit submitted on behalf of the respondents that by a notification issued by the Transport Department, Government of West Bengal on 21st October, 2016, the jurisdiction of RTA Kolkata has been expanded and RTAs of South 24 Parganas, Howrah and North 24 Parganas were directed to transfer all such routes under their jurisdictions to RTA Kolkata where major portion of a route lies in the new and expanded jurisdiction of RTA, Kolkata.

It is submitted on behalf of the petitioner that his case is covered by this notification and since his application is pending before the RTA North 24 Parganas, he may be permitted to file a fresh application before the RTA, Kolkata for consideration.

Upon consideration of the submission made on behalf of the parties, the writ petition is disposed of with liberty to the petitioner to file a fresh application before the 4th respondent in prescribed form along with requisite fees and earlier permit granted to him within seven days from date. The 4th respondent is directed to consider and dispose of the application within one month from the date of communication of this order upon affording reasonable opportunity of hearing to the petitioner, in accordance with law.

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.)