

WPA 23015 of 2023

Suparna Das

Vs.

The State of W.B. & Ors.

Mr. N. I. Khan

Mr. Amlan Kr. Mukherjee ...for the petitioner.

Mr. Amal Kr. Sen

Ms. Sahina Sumi ...for the State.

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

Heard learned counsels for the parties.

The petitioner applied for stage carriage permit before the concerned authority on 11th February, 2013 in the route 215 and 215/1 which was turned down by the authority on the ground that there is no vacancy in the said route.

The petitioner approached this Court against the said order in a writ petition being WP No.9847 (W) of 2014. By an order passed on 30th June, 2014 a co-ordinate Bench of this Court disposed of the writ petition directing the concerned authority to consider the application of the petitioner afresh for grant of stage carriage permit in route nos. 215 and 215/1 on priority basis as and when new vacancy arose.

Learned counsel for the petitioner submits that vacancy in several routes including the route nos.215 and

215/1 has been declared by the authority by a notice dated 4th August, 2023 and there appears to be one vacancy in the routes in question.

The petitioner submitted a representation before the authority seeking issuance of permit in his favour in the said routes in terms of the order of this Court dated 30th June, 2014. The representation is yet to be considered. The petitioner prays for a direction upon the authority to consider the representation at the earliest.

Learned counsel for the respondents submits that the 2nd respondent be directed to consider the representation, in accordance with law.

In view of the above, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the representation submitted by the petitioner in terms of the order passed by this Court in WP No.9847 (W) of 2014 on 30th June, 2014 within two months from the date of communication of this order upon affording reasonable opportunity of hearing to all the stakeholders including the petitioner, in accordance with law.

The petitioner is directed to serve copy of this order along with a copy of the application for permit as well as representation to the 2nd respondent at the earliest.

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

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.)