

December 5, 2023
ARDR (509)

WPA 23419 of 2023

Ananta Kundu
Vs.
The State of West Bengal & ors.

Adv. Sanat Kumar Roy,
Adv. Abhishek Banerjee,
...for the petitioner.

Adv. Sankar Nath Mukherjee,
Adv. Niraj Gupta,
Adv. Afroja Nusrat,
...for the respondent no.6.

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

None appears for the State respondents despite service.

Mr. Pantu Deb Roy, advocate who usually appears for the State and is present in Court today, is requested to represent the State along with his junior Mr. Jaladhi Das, advocate in this matter.

Their appointment be regularised by the office of the learned Legal Remembrancer.

The petitioner is directed to serve copy of the writ petition along with annexures thereto upon Mr. Das, advocate in course of this day.

The petitioner prays for consideration of his objection filed before the Secretary, State Transport Authority, West Bengal on 7th April, 2023.

The petitioner appears to be a permanent stage carriage permit holder and has made certain allegations against another vehicle plying in a route, portion of which overlaps the petitioner's route.

Since the objection filed by the petitioner before the authority is pending since 7th April, 2023, the writ petition is disposed of directing the concerned authority, being the 4th respondent herein, to consider and dispose of the objection dated 7th April, 2023 within one month from the date of communication of this order upon affording reasonable opportunity of hearing to all concerned including the petitioner and the private respondent, in accordance with law.

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

It is made clear that this Court has not gone into the merits of the case and the concerned authority shall be at liberty to deal with the objection independently, in accordance with law.

With the above observations and directions the writ petition is 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.)