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jdt.

31.01.2023
jb.

W.P.A. 24345 of 2022
(Mahasina Sultana Begam vs. State of West Bengal & Ors.)

Mr. Sanat Kr. Ray
Mr. Abhishek Banerjee
.... For the Petitioner

Affidavit of service filed by the petitioner and the written instructions filed on behalf of the respondents are taken on record.

None appears for the respondents despite service.

Mr. Pantu Deb Roy who is present in Court and usually appears for the State is requested to represent the State along with a junior of his choice in this matter. His appointment be regularised by the office of the learned Legal Remembrancer.

The petitioner is directed to serve copy of the writ petition along with annexure thereto to Mr. Deb Roy in course of this day.

It is contended on behalf of the petitioner that a provisional consolidated timetable for plying of stage carriage/bus was issued in favour of the petitioner with effect from 27th April, 2022 and the petitioner was plying the vehicle without any disturbance whatsoever. Subsequently, a consolidated timetable was prepared in respect of 66 vehicles excluding the petitioner for which the petitioner submitted a representation before the

concerned authority requesting her inclusion in the said consolidated timetable. Several litigations followed and pursuant to earlier orders passed by this Court, the authority issued an independent provisional timetable in favour of the petitioner reducing the trip from three round trips to two round trips. The petitioner submits that all other 66 vehicles have been permitted to make three round trips in the consolidated timetable issued in their favour. The innocuous prayer of the petitioner is for her inclusion in the said timetable along with other vehicles since she is similarly placed with the others. The petitioner submitted a representation in this regard before the concerned authority on 24th October, 2022 and prays for a direction upon the authority to consider the same in accordance with law.

Placing reliance on the written instructions by the Regional Transport Officer, Purba Medinipur, learned counsel for the respondents submits that the petitioner may be accommodated with other vehicles in the consolidated timetable if the time gap between every two vehicles is reduced to less than 5 minutes.

In view of such submission, the writ petition is disposed of directing the 4th respondent to consider and dispose of the representation submitted by the petitioner dated 24th October, 2022 within two months from the date of communication of this order upon affording reasonable opportunity of hearing to all the

interested persons including the petitioner and upon taking into consideration the proposal for reduction of time gap between every two buses as stated by the authority in the written instructions. Since the petitioner is similarly placed with 66 vehicles included in the consolidated timetable the authority may consider inclusion of the petitioner for the said consolidated timetable in terms of the instructions submitted before the Court.

With such observations and directions, the writ petition being WPA 24345 of 2022 is disposed of.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the petitions are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J.)