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jdt.

12.12.2023
jb.

W.P.A. 24036 of 2023
(Pulak Kumar Pramanik vs. State of West Bengal & Ors.)

Mr. Bhaskar Nandi

.... For the Petitioner

Mr. Amal Kr. Sen

Sahina Sumi

.... For the State

Mr. Sanat Kr. Roy

Mr. Abhishek Banerjee

....For the Respondent No. 7

The petitioner is holder of a permanent stage carriage permit issued by the State Transport Authority, West Bengal in respect of vehicle bearing registration No. WB 33B/8335 which is valid up to 20th July, 2024. The petitioner alleges that the private respondent has been plying his vehicle in the route part of which overlaps the route traversed by the petitioner, also in violation of the permit issued in his favour by the authority on 11th January, 2016. It is also submitted on behalf of the petitioner that the private respondent has replaced his AC vehicle by non-AC vehicle. The petitioner filed an objection to issuance of such permit on 28th August, 2023 which is yet to be considered. The petitioner prays for a direction upon the authority to consider the objection at the earliest.

Learned counsel for the private respondent denies and disputes the contention raised by the petitioner.

Learned counsel for the State respondents submits that the 4th respondent be directed to consider the objection, in accordance with law.

In view of the above, the writ petition is disposed of directing the 4th respondent to consider and dispose of the objection filed by the petitioner dated 28th August, 2023 within four weeks 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.

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.)