

03.02.2023
rc/ct.no.10
Item No.192

WPA No. 21992 of 2011

Mr. Soumen Bhattacharjee ...for the petitioner

Notice, served upon the respondents, filed by the petitioner is taken on record.

None appears for the respondents despite service of notice.

The petitioner applied for issuance of contract carriage permit before the concerned authority which was not considered in view of the bar imposed by the State of West Bengal vide a notification of the Transport Department published on 2nd August, 2004 and 29th January, 2010. The petitioner relies upon subsequent notifications published on 18th December, 2018 and 26th December, 2018 by the Government of West Bengal whereby the bar has been withdrawn.

In view of the changed circumstances, the petitioner seeks to file a fresh application before the concerned authority and prays for direction upon the authority to consider the application at the earliest.

In view of the above, the writ petition is disposed of with liberty to the petitioner to file a fresh application before the concerned authority within 10 days from date. The concerned authority, being the 2nd respondent herein, is directed to consider and dispose of the application

submitted by the petitioner within four weeks from the date of receipt thereof 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.

Since the 2nd respondent is not represented, the petitioner is directed to serve a copy of this order upon the 2nd respondent at the earliest.

With the above observations and directions this writ petition is disposed of.

There shall be, however, 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)