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jdt.

19.12.2023

jb.

W.P.A. 26337 of 2023
(Sk. Amir Ali vs. State of West Bengal & Ors.)

Mr. Sanat Kr. Roy
Mr. Abhishek Banerjee
... For the Petitioner
Mr. Pantu Deb Roy
Mr. Subrata Guha Biswas
... For the State

The petitioner prays for a direction upon the respondent no. 2 to consider the representation submitted by him on October 06, 2023.

Learned counsel for the petitioner submits that similar representations submitted by other persons plying their vehicles in the same route are pending consideration by the authority. Several dates of hearing were fixed by the authority but the representations have not been disposed of.

The petitioner claims to be governed by the exception laid down in the notification dated October 31, 2014 issued by the Government of West Bengal, Office of the District Magistrate, Burdwan. The notification says that long route buses with permits issued by the State Transport Authority, West Bengal and Regional Transport Authorities (other than Burdwan) including SBSTC buses shall also come under the purview of the notification. According to learned counsel, since permit was issued in favour of

the petitioner by the RTA, Burdwan, the petitioner is covered by the exception laid down in the notification. Learned counsel for petitioner seeks a direction upon the authority to deal with the representations of similar nature along with the one submitted by the petitioner on October 06, 2023 within a stipulated time frame upon granting opportunity of hearing to all concerned.

Learned counsel for the respondents submits that the 2nd respondent be directed to consider the representations 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 on October 06, 2023 along with other representations submitted on the similar issue within a period of four weeks from the date of communication of this order, after affording reasonable opportunity of hearing to all concerned including the petitioner, in accordance with law.

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

Pending disposal of the representation the petitioner shall continue to ply his vehicle in terms of the permit granted in his favour.

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.)