

13.12.2023
rc/ct.no.10
Item No.561

WPA No. 26930 of 2023
Sk. Mohibul Islam
Versus
The State of West Bengal & Ors.

Mr. Sanat Roy
Mr. Abhishek Banerjee ...for the petitioner

Mr. Pantu Deb Roy
Mr. Subrata Guha Biswas ...for the State

Affidavit of service filed in Court is taken on record.

The petitioner applied for issuance of stage carriage permit on the route Khandoghosh to Arambag on October 28, 2022 and pursuant to a hearing held by the Secretary, Regional Transport Office, Purba Burdwan, the said authority by a letter issued on January 05, 2023 requested the Secretary, RTA, Hooghly to issue No Objection Certificate under Rule 103 of the West Bengal Motor Vehicles Rules, 1989 in favour of the petitioner. No Objection Certificate is yet to be issued. The petitioner prays for a direction upon the Regional Transport Authority, Hooghly to issue No Objection Certificate and further direction upon the Secretary, Regional Transport Office, Purba Bardhaman to consider his application for grant of permit upon receipt of the No Objection Certificate within a stipulated time frame.

Upon consideration of the submission made on behalf of the parties, the writ petition is disposed of

directing the 5th respondent to consider the letter issued by the Secretary, Regional Transport Authority, Purba Bardhaman on January 05, 2023 and consider issuance of No Objection Certificate in favour of the petitioner. The said authority is directed to communicate the said decision to the Secretary, Regional Transport Authority, Purba Bardhaman being the 4th respondent herein, within four weeks from the date of communication of this order.

The 4th respondent is directed to consider and dispose of the representation submitted by the petitioner within a period of four weeks from the date of receipt of No Objection Certificate from the 5th respondent, after affording reasonable opportunity of hearing to all the interested parties including the petitioner, in accordance with law.

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

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)