

15.12.2023
rc/ct.no.10
Item No.571

WPA No. 27149 of 2023
Pankaj Kumar Upadhyay
Versus
The State of West Bengal & Ors.

Mr. Barun Kumar Samanta ...for the petitioner

Mr. Amal Kumar Sen
Mrs. Ashima Das (Sil)for the State

It is submitted on behalf of the petitioner that an application made by the petitioner before the concerned authority for grant of special stage carriage permit (mini bus) on route S-123 (Metiabruz to Howrah Station) which is a notified route was not accepted by the authority on the ground of no vacancy being available in the said route.

Learned counsel for the petitioner submits that the petitioner has learnt that three vacancies have arisen in the said route by virtue of non-plying of three vehicles whose permits have expired sometime in 2018-2020. Admittedly, vacancies have not been declared in the said route. Petitioner seeks to submit a comprehensive representation along with an application and requisite fees for grant of permit before the authority and prays for a direction upon the authority to consider the representation at the earliest.

Learned counsel for the respondents submits that the 2nd respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of with liberty to the petitioner to submit an application and fees along with comprehensive representation before the concerned authority within two weeks from date. The concerned authority, being the 2nd respondent herein, is directed to consider and dispose of both the representation and application within 8 weeks from the date of receipt thereof after affording reasonable opportunity of hearing to all concerned including the petitioner, in accordance with law. In considering the application/representation, the 2nd respondent shall be at liberty to deal with the contention of the petitioner as made out in the writ petition and take necessary steps in this regard.

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)