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jdt.

18.01.2023
jb.

W.P.A. 28551 of 2022
(Rampada Ghosh vs. State of West Bengal & Ors.)

Mr. Sanat Kr. Roy
Mr. Abhishek Banerjee
.... For the Petitioner

Mr. Amal Kr. Sen
Mr. Lalmohan Basu
.... For the State

Affidavit of service filed on behalf of the petitioner is taken on record.

Heard learned counsels for the parties.

The permit granted to the petitioner by the respondent authorities expired on 13th January, 2023 and the petitioner applied for renewal of the same. In the meantime, the vehicle of the petitioner has completed 15 years from the date of registration of the same for which the Notification issued by the Transport Department, Government of West Bengal on 13th August, 2012 restricts issuance/renewal of permit with regard to the said vehicle. The said notification has been placed by learned counsel for the respondents.

In view of the above, learned counsel for the petitioner submits that the petitioner may be granted liberty to file an application before the concerned authority

along with prescribed fees for renewal of the permit upon placing a fresh vehicle in terms of the Notification dated 13th August, 2012 and prays for a direction upon the authority to consider the said application at the earliest.

Upon consideration of the submissions made on behalf of the parties the writ petition is disposed of with liberty to the petitioner to submit an application before the concerned authority for renewal of the permit upon placing an alternative vehicle in terms of the Notification dated 13th August, 2012 and also upon depositing prescribed fees within two months from date. The concerned authority being the 4th respondent herein is directed to consider and dispose of the said application within one month from the date of receipt thereof upon affording reasonable opportunity of hearing to all the interested persons including the petitioner, in accordance with law.

On prayer of the respondent liberty is granted to the concerned authority to take into consideration any other notification which may be in existence in the field on the date of consideration of the application.

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.)