

19.12.2023
rc/ct.no.10
Item No.613

WPA No. 27744 of 2023
Sasanka Gayen
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

The petitioner is a holder of permanent stage carriage permit in respect of the route Lalgah to Howrah Railway Station which was valid upto November 30, 2023. The petitioner applied for replacement of the vehicle by a new one which was allowed by the authority by a letter issued on July 27, 2023 subject to certain conditions, one of the conditions being that the existing vehicle could not be withdrawn from the route till the same or higher model vehicle (BS-IV/VI) was placed so that commuters may not suffer. The petitioner purchased a new vehicle on November 08, 2023 and placed the same before a garage for making it ready for plying. The petitioner expects that the new vehicle shall be ready for plying by February, 2024. Since the existing vehicle is unable to ply due to expiry of the permit, the petitioner seeks a direction upon the authority to issue temporary permit in his favour so that the existing vehicle can continue to ply till it is replaced by the new vehicle. The petitioner submitted a representation in this regard before the concerned

authority on November 29, 2023 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 directing the 2nd respondent to consider issuance of the temporary permit in favour of the petitioner which shall be valid upto February 29, 2024, in terms of the representation submitted by the petitioner before the authority on November 29, 2023 in the light of the replacement order issued in favour of the petitioner on July 27, 2023 within two weeks from the date of communication of this order.

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)