

OD - 1

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/46/2023

VIJAY KUMAR SHAW
VS
THE STATE OF WEST BENGAL AND
ORS.

BEFORE :
THE HON'BLE JUSTICE SUVRA GHOSH
Date : 18th May, 2023

Appearance :
Mr.S.N. Mukherjee, Adv.
Sk. Samim Akhtar, Adv.
Mr.Niraj Gupta, Adv.
Mr.C. Chattopdhyay, Adv.
Ms.Afroja Nusrat, Adv.
...for the petitioner.

Mr. Amal Kumar Sen, Adv.
Ms. Ashima Das, Adv.
...for the State.

The Court : Heard the learned counsels for the parties.

The application made by the petitioner for grant of stage carriage inter regional permit on 30th December, 2021 was approved by the authority in its meeting held on 21st January, 2022 subject to submission of detailed route alignment of region and/or district with classification and placing vehicle having latest BS norms.

It is submitted on behalf of the petitioner that despite submitting all relevant documents as called for by the authority, permit has not been issued in his favour.

Placing reliance on resolution taken by the authority on 27th November, 2020 it is submitted on behalf of the respondents that no application for inter regional stage carriage permit will be approved henceforth for vehicles having BS-III emission norms where the routes are originating, traversing and/or terminating within KMA area. Learned counsel submits that in the event the petitioner is ready to submit an undertaking to the effect that the vehicle in question shall not originate, traverse and/or terminate within the KMA area, permit may be issued in his favour.

The petitioner agrees to submit an undertaking before the concerned authority to that effect within seven days from date.

In view of the submission made on behalf of the respondents and the undertaking of the petitioner, this Court directs that permit be issued in favour of the petitioner within one month from the date on which the petitioner submits the undertaking before the concerned authority to the effect that the vehicle in question shall not originate, traverse and/or terminate within the KMA area, upon the petitioner complying with all other necessary formalities.

With the above instructions, the writ petition being WPO No.46 of 2023 is disposed of.

There shall, however, be no order as to costs.

Since no affidavit has been invited, the allegations made in the writ petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(SUVRA GHOSH, J.)

S.Das/