ORDER SHEET
WPO/557/2023

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

Buddhadeb Mukherjee
Vs.
The State of West Bengal & Ors.

BEFORE
The Hon'ble Justice SUVRA GHOSH
Date: 13th April, 2023

Mr. S. N. Mukherjee, Sr. Adv. with
Sk. Samim Akhter, Mr. Niraj Gupta &
Ms. Afroja Nusrat, Advs.
....for the Petitioner

Mr. Naba Kumar Das with
Mr. Subhabrata Das, Advs.
....for the State-respondents

The petitioner prays for renewal of his permit which expired on 19th May, 2019. The petitioner has referred to a letter issued by the respondents on 23rd December, 2022 requesting him to deposit additional tax for the vehicle in question from 19th May, 2014 till date. The petitioner has submitted a copy of tax receipt which demonstrates that the petitioner has paid tax and additional tax for the vehicle till 16th April, 2023.

Since it prima facie appears that no tax or additional tax in respect of the vehicle in question is due from the petitioner, this Court is inclined to hold that the concerned authority be directed to consider renewal of the permit of the petitioner upon a representation being made by the petitioner in this regard before the authority.

The writ petition is accordingly disposed of with liberty to the petitioner to submit a representation in this regard before the concerned authority being the 4th respondent herein, within seven days from date. The 4th respondent is directed to consider and dispose of the representation of the petitioner in accordance with law, within two weeks from the date of receipt thereof upon affording reasonable opportunity of hearing to the petitioner and in the light of the observation made in this order.

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

There shall be no order as to costs.

Since affidavits have not been invited, the allegations made in the writ petition are deemed to have been denied by the respondents.

Urgent certified copy of this order, if applied for, be supplied to the parties upon usual undertaking.

(SUVRA GHOSH, J.)

K. Banerjee
A.R. (C.R.)