

January 24, 2024
(687) ARDR

WPA 131 of 2024

M/s. Debi Parul Transport Service & ors.
Vs.
The State of West Bengal & Ors.

Adv. N. I. Khan,
Adv. Amlan Kr. Mukherjee,
...for the petitioners.
Adv. Pantu Deb Roy,
Adv. Jaladhi Das,
...for the State.

Affidavit of service filed by the petitioners is taken on record.

The petitioners were issued permanent stage carriage permit in the route Burdwan to Asansol which is valid till 18th May, 2025. The petitioners applied for curtailment and diversion of the said route and submitted an application to that effect along with requisite fees and other relevant documents.

The Secretary, Regional Transport Office, Purba Burdwan by a letter issued on 27th March, 2023 requested the Secretary, Regional Transport Office, Paschim Burdwan to send the enquiry report as well as no objection certificate in this regard since the diverted route fell within the jurisdiction of the latter. No response having been received by the Secretary, Regional Transport Authority, Pashim Burdwan, the petitioners submitted a representation before the Secretary, Regional Transport Authority, Purba Burdwan on 6th

December, 2023 seeking necessary approval/NOC. The petitioners seek consideration of their representation at the earliest.

Upon consideration of the submission made by the parties, this Court is inclined to hold that since enquiry report as well as no objection certificate is yet to be received from the Secretary, Regional Transport Authority, Paschim Burdwan, the said Secretary, being the 7th respondent herein, be directed to furnish the enquiry report as well as no objection certificate before the Secretary, Regional Transport Authority, Purba Burdwan, that is, 4th respondent herein, within two weeks from the date of communication of this order. Upon receipt of such enquiry report and no objection certificate, the 4th respondent is directed to consider and dispose of the application well as representation submitted by the petitioners within four weeks therefrom upon affording reasonable opportunity of hearing to all concerned including the petitioners, in accordance with law.

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

With the aforesaid observations and directions, the writ petition is disposed of.

There shall however, be 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 supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)