

953
10.05.2024
Ct. No.10
b.das

WPA 257 of 2024

Atish Gupta

Vs.

The State of W.B. & Ors.

Mr. Sattwik Bhattacharya

Mr. A. Bhattacharya

Mr. A. Roy ...for the petitioner.

Mr. Pantu Deb Roy

Mr. Subrata Guha Biswas ...for the State.

Report in the form of affidavit submitted on behalf of the respondents and exception to the report used by the petitioner are taken on record.

Heard learned counsels for the parties.

The application made by the petitioner for issuance of permanent stage carriage permit in the route Lalpur to Ropo was not allowed by the RTA Board, which allowed the permit for the route Keshargarh to Ropo primarily on the ground that the entire route Lalpur to Ropo was very long.

Report submitted by the respondents suggests that the petitioner's route was curtailed due to congestion at Lalpur crossing where the petitioner would have to park his vehicle if the entire route was permitted to be covered by the petitioner.

Learned counsel for the petitioner submits that the vehicle in respect of which the permit was sought is a small bus having the seating capacity of 36 passengers only.

Referring to a letter issued by one Lakshikanta Hansda, owner of CF Service Station situated about 600 meters from Lalpur bus stand, learned counsel for the petitioner submits that the said owner has permitted the petitioner to park his vehicle in the petrol pump at night. The petitioner undertakes not to park the vehicle at Lalpur bus stand where he shall drop/pick up passengers.

In view of the undertaking given by the petitioner, this Court is inclined to hold that allowing the permit of the petitioner in the route Lalpur to Ropo shall not create further congestion in the said route.

Accordingly, the writ petition is allowed in terms of prayer (a).

The resolution of the Purulia, RTA Board taken in its meeting dated 6th October, 2023 insofar as the petitioner is concerned (Serial no.13) is set aside.

The 3rd respondent is directed to issue permit in favour of the petitioner in the route Lalpur to Ropo within one month from the date of communication of this order upon consideration of the clash-free timetable submitted by the petitioner and undertaking given by the petitioner before this Court, which the petitioner shall submit before the authority at the earliest and upon complying with all the requisite formalities, in accordance with law.

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.)