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31.01.2024
Ct. No.10
b.das

WPA 544 of 2024

Tuhin Kanti Banerjee & Anr.
Vs.
The State of W.B. & Ors.

Mr. Sanat Kumar Roy
Mr. Abhishek Banerjee ...for the petitioners.

Mr. Pantu Deb Roy
Mr. Subrata Guha Biswas ...for State.

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

Learned counsel for the petitioners submits that the petitioners' vehicle is covered by the exception laid down in the notification issued by the District Magistrate, Purba Burdwan on 31st October, 2014.

The petitioners submitted a representation in this regard before the District Magistrate, Purba Burdwan on 2nd January, 2024 requesting the authority to see that the plying of their vehicle is not interfered with in view of the said notification. The representation is yet to be considered. The petitioners pray for a direction upon the authority to consider the representation at the earliest.

Upon consideration of the submission made on behalf of the parties, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the representation submitted by the petitioners dated 2nd January, 2024 within one month from the date of

communication of this order 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.

Pending disposal of the representation the petitioners shall continue to ply their vehicle in terms of the permit issued in their favour.

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.)