

783
02.04.2024
Ct. No.10
b.das

WPA 3220 of 2024

Prithish Sinha & Anr.
Vs.
The State of W.B. & Ors.

Mr. N. I. Khan
Mr. A. K. Mukherjee ...for the petitioners.

Mr. Pantu Deb Roy
Mr. M. K. Sadhu ...for the State.

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

None appears for the private respondents despite service.

Heard learned counsels for the parties.

The petitioners are stage carriage operators in the combined notified route no.24, 24A, 24B and 28. The petitioners' grievance is that the private respondents are plying their respective vehicles by curtailing a substantial portion of the routes allotted to them in contravention of Section 72 of the Motor Vehicles Act, 1988.

The petitioners submitted an objection before the concerned authority in this regard on 16th January, 2024, which is yet to be considered. The petitioners pray for a direction upon the concerned authority to consider the objection at the earliest.

Learned counsel for the State respondents submits that the 3rd respondent be directed to consider the objection, in accordance with law.

In view of the above, the writ petition is disposed of directing the 3rd respondent to consider and dispose of the objection submitted by the petitioners dated 16th January, 2024 within six weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all concerned including the petitioners and the private respondents, in accordance with law.

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

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.)