

May 22, 2024
ARDR (1018)

WPA 9927 of 2024

Sk. Rejaul Haque
Vs.
The State of West Bengal & ors.

Adv. N. I. Khan,
Adv. Amlan Kr. Mukherjee,
...for the petitioner.
Adv. Pantu Deb Roy,
Adv. Subrata Guha Biswas,
...for the State.

Affidavit of service filed on behalf of the petitioner and the report submitted on behalf of the State respondents are taken on record.

The prayer of the petitioner is two fold:-

Firstly, issuance of permit in his favour from Nagri to Durgapur City Center and secondly, a direction upon the Regional Transport Authority, Paschim Burdwan to issue no objection certificate for plying in the said route. The petitioner submitted a representation before the concerned authority in this regard on 16th January, 2023 which was not considered by the authority for which he approached this Court in a writ petition, being WPA 6319 of 2013. By an order passed on 16th May, 2023, this Court directed the concerned authority to consider and dispose of the representation within one month from the date of communication of the order upon affording reasonable opportunity of hearing to the petitioner, in accordance with law.

Learned counsel for the petitioner submits that the said order has not been complied with by the authority till date.

Upon consideration of the submission made on behalf of the parties, this Court is inclined to hold that since issuance of no objection certificate by the Secretary, Regional Transport Authority, Paschim Burdwan pursuant to a letter issued by the Secretary, Regional Transport Authority, Bankura on 24th September, 2019 is still pending and also, since the earlier order of this Court is yet to be complied with by the authority, the writ petition be disposed of directing the 4th respondent to comply with the order of this Court dated 16th May, 2023 in WPA 6319 of 2023 within six weeks from the date of communication of this order. The 5th respondent is directed to issue no objection certificate in terms of the letter issued by the Secretary, Regional Transport Authority, Bankura on 24th September, 2019 within two weeks from the date of communication of this order.

With the aforesaid 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 have been 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.)